

**CITY COUNCIL OF MONTEREY PARK
AND THE CITY COUNCIL ACTING ON BEHALF OF THE SUCCESSOR AGENCY OF THE FORMER
REDEVELOPMENT AGENCY
AGENDA**

SPECIAL MEETING

**Monterey Park City Hall Council Chambers
320 W. Newmark Avenue, Monterey Park, CA 91754**

**Monday
October 28, 2019
6:30 p.m.**

MISSION STATEMENT

**The mission of the City of Monterey Park is to provide excellent services
to enhance the quality of life for our entire community.**

Documents related to an Agenda item are available to the public in the City Clerk's Office located at 320 West Newmark Avenue, Monterey Park, CA 91754, during normal business hours and the City's website at www.montereypark.ca.gov.

PUBLIC COMMENTS ON AGENDA ITEMS

You may speak up to 5 minutes on Agenda item. You may combine up to 2 minutes of time with another person's speaking. No person may speak more than a total of 10 minutes. The Mayor and City Council may change the amount of time allowed for speakers.

Per the Americans with Disabilities Act, if you need special assistance to participate in this meeting please call City Hall at (626) 307-1359 for reasonable accommodation at least 24 hours before a meeting. Council Chambers are wheelchair accessible.

This Agenda includes items considered by the City Council acting on behalf of the Successor Agency of the former Monterey Park Redevelopment Agency which dissolved February 1, 2012. Successor Agency matters will include the notation of "SA" next to the Agenda Item Number.

CALL TO ORDER **Mayor**

FLAG SALUTE **Mayor**

ROLL CALL **Peter Chan, Mitchell Ing, Stephen Lam, Hans Liang, Teresa Real Sebastian**

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

PUBLIC COMMUNICATIONS. While all comments are welcome, the Brown Act does not allow the City Council to take action on any item not on the agenda. The Council may briefly respond to comments after Public Communications is closed. Persons may, in addition to any other matter within the City Council's subject-matter jurisdiction, comment on Agenda Items at this time. If you provide public comment on a specific Agenda item at this time, however, you cannot later provide comments at the time the Agenda Item is considered.

ORAL AND WRITTEN COMMUNICATIONS

[1.] PRESENTATION – None.

[2.] OLD BUSINESS – None.

[3.] CONSENT CALENDAR ITEMS NOS. 3A

3-A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA DECLARING THE MONTH OF OCTOBER AS BREAST CANCER AWARENESS MONTH

It is recommended that the City Council:

- (1) Adopt a Resolution declaring the month of October as Breast Cancer Awareness Month; and
- (2) Take such additional, related, action that may be desirable.

[4.] PUBLIC HEARING

4-A. A PUBLIC HEARING TO CONSIDER THE DRAFT LAND USE ELEMENT OF THE GENERAL PLAN, FOCUSED ENVIRONMENTAL IMPACT REPORT, AND FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS

It is recommended that the City Council consider:

- (1) Opening the public hearing;
- (2) Receiving documentary and testimonial evidence;
- (3) Closing the public hearing;
- (4) Adopting a Resolution adopting the Land Use Element (subject to voter approval); and certifying the Final Focused Environmental Impact and adopting Mitigation Measures, Findings of Facts and Statement of Overriding Considerations for the Land Use Element;
- (5) Directing the City Manager, or designee, to prepare appropriate documents to place a proposition on the ballot for the previously called March 3, 2020 election seeking voter ratification of the City Council's actions; and
- (6) Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act)

The City prepared a draft environmental impact report ("DEIR") pursuant to CEQA Guidelines § 15080. No initial study was conducted nor were any of the CEQA Appendix G checklist topical areas eliminated from consideration of impacts. Consequently, all 20 of these topical areas were analyzed in the DEIR before determining that any impact was insignificant or less than significant. As may be seen, the DEIR identifies several significant and unavoidable impacts. CEQA permits agencies to certify a final EIR ("FEIR") that discloses significant and unavoidable impacts if it can determine that the benefits of the proposed project outweigh the significant impacts. Significant and unavoidable impacts anticipated as a result of implementation of this Project include air quality, greenhouse gas emissions, noise, and transportation and traffic. While mitigation has been recommended to reduce these impacts, they remain significant and unavoidable for several reasons. Implementation of certain traffic and transportation improvements are outside the City's jurisdiction and the City cannot compel another agency to implement these improvements. The benefits of the proposed Project that should be weighed against these significant and unavoidable impacts include, without limitation, economic growth and development; promotion of sustainable development; increased employment opportunities

for highly skilled workers; reduction in per capita vehicle miles traveled; and the provision of housing. Accordingly, the recommendation is that the City Council adopt a Statement of Overriding Considerations in order to adopt the draft Land Use Element ("LUE").

[5.] NEW BUSINESS – None.

[6.] COUNCIL COMMUNICATIONS AND MAYOR/COUNCIL AND AGENCY MATTERS

[7.] CLOSED SESSION (IF REQUIRED; CITY ATTORNEY TO ANNOUNCE)

ADJOURN

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF MONTEREY PARK, CALIFORNIA
DECLARING THE MONTH OF OCTOBER AS
BREAST CANCER AWARENESS MONTH

The City Council of the City of Monterey Park does resolve as follows:

SECTION 1. The City Council finds and declares that:

- A. Breast Cancer Awareness month is a worldwide annual campaign in October, involving thousands of organizations to highlight the importance of breast cancer awareness, education and research.
- B. According to the Centers for Disease and Prevention (CDC), breast cancer is the most common cancer among women.
- C. In the United States, more than 268,000 women and approximately 2,600 men are diagnosed with breast cancer annually.
- D. Increasing the public's knowledge about the importance of early detection of breast cancer diagnosis and treatment can save lives.
- E. We support those courageously fighting breast cancers and honor the lives lost to the disease.
- F. Breast Cancer Awareness month is an opportunity to unite all citizens in our community to prevent breast cancer deaths through increased education and regular screening.
- G. This October, we recognize breast cancer survivors, those currently battling the disease, friends and families of a diagnosed patient, and applaud the efforts of our medical professionals and researchers working to find a cure.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Monterey Park, do hereby declare the month of October as Breast Cancer Awareness Month.

BE IT FURTHER RESOLVED, that the City of Monterey Park encourages all employees, residents and the community to raise awareness by wearing pink during the month of October.

SECTION 2. The Mayor, or presiding officer, is hereby authorized to affix his signature to this Resolution signifying its adoption by the City Council of the City of Monterey Park, and the City Clerk, or his duly appointed deputy, is directed to attest thereto.

SECTION 3. This Resolution takes effect immediately upon its adoption.

**PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
MONTEREY PARK ON THIS 28TH DAY OF OCTOBER 2019.**

Hans Liang, Mayor
Monterey Park, California

ATTEST:

Vincent D. Chang, City Clerk
Monterey Park, California



City Council Staff Report

DATE: October 28, 2019

AGENDA ITEM NO: Public Hearing
Agenda Item 4-A

TO: Honorable Mayor and Members of the City Council
FROM: Mark A. McAvoy, Director of Public Works/City Engineer/City Planner
SUBJECT: A Public Hearing to consider the draft Land Use Element of the General Plan, Focused Environmental Impact Report, and Findings of Fact and Statement of Overriding Considerations.

RECOMMENDATION:

It is recommended that the City Council consider:

- (1) Opening the public hearing;
- (2) Receiving documentary and testimonial evidence;
- (3) Closing the public hearing;
- (4) Adopting a Resolution adopting the Land Use Element (subject to voter approval); and certifying the Final Focused Environmental Impact and adopting Mitigation Measures, Findings of Facts and Statement of Overriding Considerations for the Land Use Element;
- (5) Directing the City Manager, or designee, to prepare appropriate documents to place a proposition on the ballot for the previously called March 3, 2020 election seeking voter ratification of the City Council's actions; and
- (6) Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act)

The City prepared a draft environmental impact report ("DEIR") pursuant to CEQA Guidelines § 15080. No initial study was conducted nor were any of the CEQA Appendix G checklist topical areas eliminated from consideration of impacts. Consequently, all 20 of these topical areas were analyzed in the DEIR before determining that any impact was insignificant or less than significant. As may be seen, the DEIR identifies several significant and unavoidable impacts.

CEQA permits agencies to certify a final EIR ("FEIR") that discloses significant and unavoidable impacts if it can determine that the benefits of the proposed project outweigh the significant impacts. Significant and unavoidable impacts anticipated as a result of implementation of this Project include air quality, greenhouse gas emissions, noise, and transportation and traffic. While mitigation has been recommended to reduce these impacts, they remain significant and unavoidable for several reasons. Implementation of certain traffic and transportation improvements are outside the City's jurisdiction and the City cannot compel another agency to implement these improvements. The benefits of the proposed Project that should be weighed against

these significant and unavoidable impacts include, without limitation, economic growth and development; promotion of sustainable development; increased employment opportunities for highly skilled workers; reduction in per capita vehicle miles traveled; and the provision of housing. Accordingly, the recommendation is that the City Council adopt a Statement of Overriding Considerations in order to adopt the draft Land Use Element ("LUE").

EXECUTIVE SUMMARY:

In 2018, the City Council commenced the process for updating the Monterey Park General Plan. The first element identified by the City Council for consideration was the Land Use Element ("LUE").

On September 24, 2019, the Planning Commission reviewed the proposed draft LUE, Focused Environmental Impact Report, and Findings of Fact and Statement of Overriding Considerations (the "Project"). After considering the Project, the Commission adopted a resolution recommending that the City Council approve the draft documents. The Planning Commission staff report dated September 24, 2019, and the minutes from the September 24, 2019 Planning Commission meeting are attached for reference.

TYPE OF ACTION (LEGISLATIVE)

The recommended action includes a proposed change to the Monterey Park General Plan. In considering such actions, the City Council acts in its discretionary legislative capacity (formulating rules that apply to all future cases). For the LUE, the City Council must find that it complies with California's General Plan regulations including Government Code § 65358(a), namely that the LUE is in the public interest. Additionally, the action of placing the LUE onto the ballot for voter consideration is a legislative act under Elections Code § 9222.

These findings are included with the draft Resolution; the facts upon which these findings rely are also included with the draft documents.

The City Council may approve, modify or disapprove the Project as recommended by the Planning Commission. However, any substantial modifications proposed by the Council, which were not previously considered by the Planning Commission during its hearing(s), must first be referred back to the Planning Commission (Government Code § 65356).

Certification of the FEIR is also considered a quasi-legislative act because the City Council would need to adopt a statement of overriding considerations. This type of statement is interpreted to focus "on the larger, more general reasons for approving the project, such as the need to create new jobs, provide housing, generate taxes, and the like." Accordingly, the dominant concern of the action is broad and public.

BACKGROUND

In 2018, the City Council began the process for updating the Monterey Park General Plan, which was last updated in 2001. To facilitate this process, the City Council directed that the LUE be updated first. While these updates were initially planned to be completed for the November 2019 election, the cost of placing a proposition on a ballot for that election was prohibitive. Accordingly, the schedule for the LUE consideration was adjusted for the previously called March 3, 2020 election.

Between February and May of 2019, the City participated in various engagement efforts related to amending the LUE including, the formation of the General Plan Advisory Committee, a City Council initiated workshop, seven events for public attendance, a dedicated webpage on the City's website and circulation of a public survey. Following these efforts, an update was provided to the City Council on September 4, 2019. Overall, the City Council did not express concerns about the public outreach process and did not provide further direction.

On September 24, 2019, the Planning Commission considered both the DEIR and the LUE. A complete overview of the information provided to the Planning Commission – including a more in-depth explanation of proposed changes to the LUE – is included as attachments to this staff report.

Following the public hearing, the Planning Commission made the following changes to the draft LUE:

- Designated the parcel located at 1688 West Garvey Avenue from “High Density Residential” to “Low Density Residential;”¹
- Revised the language under the heading Program 11: Climate Change Action Plan Time Frame (on page 99 of the Land Use Element Action Plan) to read “Short and Intermediate.”

ALTERNATIVE COMMISSION CONSIDERATIONS:

While separate from the Planning Commission's consideration of the LUE, the Planning Commission also requested that the following items be brought to the attention of the City Council:

- Further analyze whether the proposed zone change for Atlantic Square (from “Commercial” to “Mixed-Use”) in the draft LUE would allow for a housing overlay zone;²

¹ From a topographical standpoint, as well as the underlying geologic issues and the proposed geotechnical solutions for development, this parcel is not a good candidate for high density residential. Specifically, development will be constrained due to the steep slopes on the property and the required corrective action to cure historic geotechnical failures on the property – which is anticipated to involve the use of tiebacks. Accordingly, the property should be designated as Low Density Residential and the LUE should be amended to reflect that change in designation.

- An ordinance to formally recognize and designate the Cascades Waterfall, El Encanto, the observatory, and Historical Museum as historical landmarks in the City; and
- Adding policies to vigorously encourage and promote higher quality property maintenance standards

FISCAL IMPACT:

The City Council has authorized \$749,607 for this Project.

Respectfully Submitted by:

Prepared By:



Mark A. McAvoy
Director of Public Works/City
Engineer/City Planner

Samantha Tewasart
Senior Planner

Ron Bow
City Manager

Karl H. Berger
Assistant City Attorney

Attachments:

- Attachment 1: Draft Resolution
- Attachment 2: Finding of Facts and Statement of Overriding Considerations
- Attachment 3: Draft Monterey Park General Plan Land Use Element and Focused Environmental Impact Report
- Attachment 4: Letters from TRC Retail to City regarding General Plan Update – (dated September 24, 2019 and October 24, 2019)
- Attachment 5: Planning Commission Staff Report dated September 24, 2019
- Attachment 6: Planning Commission Minutes dated September 24, 2019

ATTACHMENT 1

Draft Resolution

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT, ADOPTING FINDINGS AND A STATEMENT OF OVERRIDING CONSIDERATIONS, ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE MONTEREY PARK FOCUSED GENERAL PLAN UPDATE – MONTEREY PARK 2040, AND ADOPTING – SUBJECT TO VOTER RATIFICATION – AN UPDATED LAND USE ELEMENT TO THE MONTEREY PARK GENERAL PLAN.

The City Council of the City of Monterey Park does resolve as follows:

SECTION 1. The City Council finds and declares that:

- A. Government Code §§ 65300-65302 require the City to adopt and maintain a General Plan that contains certain elements, describes its long-term goals, and develops policies and programs to achieve those goals. By statute, a General Plan is required to be updated “periodically.” The last update to the Land Use Element of the General Plan (the “LUE”) occurred in 2001;
- B. The City is currently proposing a focused update to the LUE (the “Project”);
- C. The City reviewed the Project’s environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, “CEQA”) and the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, *et seq.*, the “CEQA Guidelines”);
- D. The City has prepared a draft environmental impact report (“DEIR”) for the Project which was filed as State Clearing House No. 2001-01-1074). The proposed Final EIR (“FEIR”) incorporates all comments and responses received by the City during the comment period;
- E. On September 24, 2019, the Planning Commission held a public hearing receive public testimony and other evidence regarding the proposed amendment, including information provided to the Planning Commission by City staff and public testimony;
- F. On September 24, 2019, the Planning Commission adopted Resolution No. 15-19 recommending that the City Council approve the proposed project;
- G. Notices of Public Hearings before the Planning Commission and the City Council were duly given and published in the time, form and manner as required by law; and
- H. On October 28, 2019, the City Council held a public hearing regarding the Project. This Resolution, and its findings, is adopted based upon the evidence set forth in the entire record including, without limitation, documentary and

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testimonial evidence; the staff report; and such additional information set forth in the entire administrative record that is too voluminous to reference, but is on file with the City Clerk's office.

SECTION 2. *Factual Findings and Conclusions.* The City Council finds that the following facts exist and makes the following conclusions:

- A. In 2018 the City Council directed staff to begin comprehensive updates to the Monterey Park General Plan; the first element to be considered is the Land Use Element (LUE) – which was last updated in 2001.
- B. The City proactively engaged the public regarding the focused update to the General Plan including: (1) creating the General Plan Advisory Committee (GPAC); (2) conducting stakeholder interviews; (3) creating a public website for the Project; (4) circulating a community survey; (5) polling participants of the Cherry Blossom Festival regarding land use alternatives; (6) hosting a public meeting to present the General Plan's technical findings; and (7) holding an environmental scoping meeting.
- C. The proposed focused update to the General Plan contains a thorough and adequate treatment of land use, economic, environmental and development issues within the realm of the planning period.
- D. The proposed focused update to the General Plan is internally consistent and would not be a detriment to the public interest, health, safety, convenience, and welfare of the City.
- E. The proposed focused update to the General Plan encourages appropriate land uses, preservation of neighborhood character and natural resources, infill of vacant land area, new multi-family residential development, provision of urban services and utilities, pedestrian facilities and enhancement of the property tax base.

SECTION 3. *Environmental Assessment.* The City Council makes the following environmental findings:

- A. Because of the facts and conclusions identified in Section 2 of this Resolution and in accordance with CEQA Guidelines § 15082, the City filed a Notice of Preparation (NOP) of a Draft EIR (DEIR) with the State Clearinghouse (SCH) Office of Planning and Research (OPR); the NOP included a comment period from April 16 to May 16, 2019. The SCH OPR assigned SCH Number 2001-01-074 to the environmental documentation for the Project.
- B. A Scoping Meeting to solicit public input on the issues proposed for consideration in the DEIR was held on May 7, 2019 at 6:00 P.M. at the Monterey Park City Hall

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Council Chambers. A total of six written responses were received on the NOP.

- C. In accordance with CEQA, a Notice of Completion (NOC) of the DEIR was filed with the SCH OPR on June 7, 2019.

SECTION 4. The public review period for the DEIR commenced on June 10, 2019 and ended on July 25, 2019. The DEIR was distributed to government agencies, neighboring cities and interested parties. The City's Notification Mailing List is available at the City of Monterey Park's Public Works Department – Planning Division. A total of three written responses were received regarding the DEIR.

- A. Comments received during the public review period for the DEIR were responded to in the Responses to Comments Report.
- B. A FEIR was prepared for the Project, comprised of the following components:
1. DEIR and Technical Appendices (June 2019).
 2. Comments received on the DEIR and responses to those comments documented in the Responses to Comments Report (June 2019).
 3. Clarifications and Revisions.
 4. Mitigation Monitoring and Reporting Program (MMRP).
- C. The FEIR (including documents and other materials that constitute the record of proceedings on which the City's findings and decisions are based) is located at City of Monterey Park, 320 W. Newmark Avenue, Monterey Park, CA 91754. The custodian for these documents is the Senior Planner. This information is provided in compliance with CEQA § 21081.6(a)(2) and CEQA Guidelines § 15091(e).
- D. The FEIR is incorporated into this Resolution by reference as if fully set forth. Pursuant to CEQA Guidelines § 15090, the FEIR reflects the City's independent judgment and analysis. The City Council has independently reviewed and analyzed the DEIR prepared for the proposed Project. The DEIR and FEIR are accurate and complete statements of the potential environmental impacts of the Project.
- E. Because of the facts identified in this Resolution, the DEIR showed that a Statement of Overriding Considerations would be required in order for the Project to be approved.
- F. The FEIR generally identifies, for each potentially significant impact of the project, one or more corresponding mitigation measures to reduce such impact to

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a level of insignificance, with the exception of Air Quality, Greenhouse Gas Emissions, Noise, and Transportation and Traffic. The City Council finds that many of the mitigation measures described in the FEIR may lessen or avoid impacts in impact categories other than the categories for which they are specifically proposed. Accordingly, the City Councils finds that each potentially significant impact identified by the FEIR is mitigated by its corresponding mitigation measures to the extent set forth in the FEIR ("specific mitigation") and by other, non-corresponding, mitigation measures recommended for approval by the City Council that were already incorporated into the Project ("general mitigation"). These findings will be applicable wherever supported by the evidence in the record regardless of whether a specific finding or an instance of such general mitigation is made.

SECTION 5. Actions. The City Council takes the following actions:

- A. Adopts the LUE, subject to voter ratification on March 3, 2020, attached as Attachment 3, and incorporated into this Resolution by reference;
- B. Certifies the FEIR attached as Attachment 3, and incorporated by reference, subject to the mitigation monitoring and reporting program ("MMRP") required by CEQA § 21081.6 and CEQA Guidelines § 15097;
- C. Adopts the Findings of Fact and a Statement of Overriding Considerations in accordance with the requirements of CEQA § 21081 as set forth in attached Attachment 2, which is incorporated into this Resolution by reference; and
- D. Adopts the MMRP set forth in attached Attachment 3, which is incorporated into this Resolution by reference, in accordance with the requirements of CEQA §§ 21081(a) and 21081.6.

SECTION 6. Reliance on the Record. Each and all of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 7. Limitations. The City Council's analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the City Council's lack of knowledge of future events. In all instances, best efforts were made to form accurate assumptions. Somewhat related to this are the limitations on the City's ability to solve what are in effect regional, state, and national problems and issues. The City must work

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within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 8. *Summaries of Information.* All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 9. If any part of this Resolution or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Resolutions are severable.

SECTION 10. The City Clerk is directed to mail a copy of this Resolution to any person requesting a copy.

SECTION 11. This Resolution becomes effective immediately upon adoption.

PASSED, APPROVED, AND ADOPTED this October 28, 2019.

Hans Liang, Mayor
City of Monterey Park, California

ATTEST:

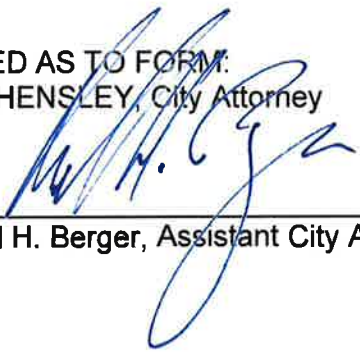
Vincent D. Chang, City Clerk
City of Monterey Park, California

I HEREBY CERTIFY that the above and foregoing ordinance was duly passed and adopted by the Monterey Park City Council at its regular meeting held on the 28th of October, 2019, by the following vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

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RESOLUTION NO.
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APPROVED AS TO FORM:
MARK D. HENSLEY, City Attorney

By: 
Karl H. Berger, Assistant City Attorney

ATTACHMENT 2

Finding of Facts and Statement of Overriding Considerations

**PLANNING COMMISSION RESOLUTION NO.
EXHIBIT ____**

**CITY COUNCIL RESOLUTION NO. _____
Exhibit ____**

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS

After receiving, reviewing, and considering all the information in the entire administrative record for Environmental Impact Report (SCH #2001-01-1074) and the Monterey Park Focused General Plan Update – Monterey Park 2040 (the “Project”) including, without limitation, the factual information and conclusions set forth in this Resolution and its attachment, the City Council finds, determines, and declares as follows:

I. FINDINGS REQUIRED BY CEQA.

CEQA Guidelines § 15090 require the City to certify that:

1. The Final Environmental Impact Report (“FEIR”) has been completed in compliance with CEQA;
2. The FEIR was presented to the decision-making body of the lead agency and that that decision-making body reviewed and considered the information contained in the final EIR before approving the Project; and
3. The FEIR reflects the lead agency’s independent judgment and analysis.

II. FINDINGS REGARDING THE POTENTIAL ENVIRONMENTAL EFFECTS OF THE PROJECT.

A. Determination to Prepare an Environmental Impact Report (“EIR”).

CEQA Guidelines § 15060 provides that if the lead agency can determine that an EIR will be clearly required for a project, the agency may skip further initial review of the project and begin work directly on the EIR process described in commencing with CEQA Guidelines § 15080. In the absence of an initial study, the lead agency must still focus the EIR on the significant effects of the project and briefly indicate its reasons for determining that other effects would not be significant or potentially significant. The City of Monterey Park determined that preparation of a Draft EIR (“DEIR”) was required for the Project. No initial study was conducted nor were any of the CEQA Appendix G checklist topical areas eliminated from consideration of impacts. Therefore, in the absence of preparing an initial study, all 20 of these topical areas were analyzed in the DEIR before determining that any impact was insignificant or less than significant.

B. Impacts Found To Be Insignificant in the DEIR.

The analysis within the DEIR for the Project, dated June 2019, identified the following environmental effects as not potentially significant. Accordingly, the City Council finds that the DEIR, the FEIR, and the record of proceedings for the Project do not identify or contain substantial evidence identifying significant environmental effects of the Project with respect to the areas listed below.

1. Agriculture and Forestry Resources.

2. Biological Resources (Animal Migration and Conservation, and Habitat Conservation Plans).
3. Geology and Soils (Septic Tanks).
4. Hazards and Hazardous Materials (Airports).
5. Hydrology and Water Quality (Drainage – Impede or Redirect Flood Flows).
6. Mineral Resources.
7. Transportation and Traffic (Conflicts with CEQA).
8. Utilities and Service Systems (Solid Waste Regulations).

C. Impacts Identified as Less Than Significant in the DEIR.

The analysis within the DEIR identified the following environmental effects as less than significant. Accordingly, the City Council finds that the DEIR, the FEIR, and the record of proceedings for the Project do not identify or contain substantial evidence identifying significant environmental effects of the Project with respect to the areas listed below.

1. Aesthetics.
2. Air Quality (Exposure of Sensitive Receptors to Pollutants; and Objectionable Odors).
3. Biological Resources (Sensitive Natural Communities and Riparian Habitat; Wetland Conservation; and Local Biological Resource Policies).
4. Cultural Resources (Archaeological Resources; and Human Remains).
5. Energy
6. Geology and Soils (Faults, Liquefaction, and Seismic-Related Ground Failure; Soil Erosion; Slope Stability and Landsliding; Expansive Soils; Paleontological Resources).
7. Hazards and Hazardous Materials (Transport, Use, and Disposal Hazards; Hazardous Materials; Emit Hazardous Emissions; Hazardous Materials Sites; Adopted Response and/or Evacuation Plans; and Wildland Fires).
8. Hydrology and Water Quality (Water Quality Standards; Drainage; Flood Risk; and Water Quality).
9. Land Use and Planning.
10. Noise (Increase in Stationary and Other Sources of Noise; Groundborne Vibrations; and Excessive Noise Levels Within Airport Vicinity).
11. Population and Housing.

12. Public Services
13. Recreation.
14. Transportation and Traffic (Design Feature Hazards; and Emergency Access).
15. Tribal Cultural Resources.
16. Utilities and Service Systems (Relocation or New Utilities; Wastewater Capacity; and Solid Waste Capacity).
17. Wildfire.

D. Impacts Identified as Potentially Significant in the DEIR But Which Can Be Reduced to Less-Than-Significant Levels with Mitigation Measures.

The City Council finds that the following environmental effects were identified as Less Than Significant with Mitigation Incorporated in the DEIR, the FEIR, and implementation of the identified mitigation measures would avoid or lessen the potential environmental effects listed below to a less-than-significant level.

1. Biological Resources.

a) Facts/Effects:

(1) Special Status Species Protections. The Project could have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

The burrowing owl (*Athene cunicularia*), a California species of special concern, has low potential to occur in the Planning Area of the Project due to grasslands (including non-native that have been mowed or disked) and where suitable burrows are present (typically from presence of the California ground squirrel (*Otospermophilus beecheyi*) or other mammal burrows, as well as debris piles, and man-made culverts. Additionally, native trees, ornamental trees, and various other substrates within the Planning Area have to provide nesting habitat for protected bird species, where destruction of or disturbance to an active nest is prohibited. Project-related construction activities could have the potential to result in significant direct and/or indirect impacts. Implementation of Mitigation Measures BIO-1 through BIO-3 would lessen construction-related impacts by requiring pre-construction surveys and consultation to determine appropriate protocols that must be employed to reduce the impact of this environmental effect to a less than significant level.

(2) Cumulative Impacts. The project could cause substantial adverse cumulative impacts with respect to biological resources.

The Planning Area is mostly developed and urbanized. All cumulative biological impacts associated with implementation of the Project would be less than significant with implementation of Mitigation Measures BIO-1 through BIO-3, which address any potential impacts to burrowing owls and nesting migratory birds. Therefore, no unavoidable, cumulative impacts to biological resources would result from the Project.

b) Mitigation:

Mitigation Measures BIO-1 through BIO-3, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to avoid or substantially lessen the significant biological resources environmental effects as identified in the FEIR.

2. Cultural Resources.

a) Facts/Effects:

(1) Historic Resources. The Project could cause a substantial adverse change in the significance of a historic resource pursuant to CEQA Guidelines §15064.5.

The City identified two historic built environments (Cascades Park and the Jardin del Encanto complex) as listed on the California Register of Historic Resources, and a City Point of Interest (Midwick View Estates) noted by the California office of Historic Preservation. There are no known California Landmarks, no listed buildings or structures on the National Register of Historic Places and the City has not conducted an historic resources survey. Therefore, the number of potential buildings or structures within the City are unknown. The City also does not have regulatory policies in place to protect historic resources. Therefore, an historic conservancy through mitigation is required to avoid or minimize impacts to historic built environments. Implementation of Mitigation Measure CUL-1 would reduce impacts from development on potential historic (buildings and structures) resources to a less than significant level.

(2) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to cultural resources.

The Planning Area is most developed and urbanized but lacks any comprehensive survey of historic structures and/or buildings. All cumulative cultural resource impacts associated with implementation of the Project would be less than significant with implementation of Mitigation Measure CUL-1, which address any potential impacts to an historic resource by requiring an "unique historic resource" evaluation before demolition or alteration of buildings or structures 45 years and

older. Therefore, no unavoidable, cumulative impacts to cultural resources would result from the Project.

b) Mitigation:

Mitigation Measure CUL-1, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to avoid or substantially lessen the significant cultural resources environmental effects as identified in the FEIR.

3. Hydrology and Water Quality.

a) Facts/Effects:

(1) Decrease in Groundwater Supplies. The Project could substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

Implementation of development allowed by the Project is anticipated to largely occur within designated focus areas that are currently developed areas of the City where new impervious surfaces would be minimal and are not expected to interfere with groundwater recharge. However, the City's primary water source is groundwater from seven active wells within the Main San Gabriel Groundwater Basin. Ample water supply is anticipated to serve the expected population as projected by the City of Monterey Park and CalWater planning documents through to 2040. The Project, however, anticipates an increased population, resulting in a possible increase in demand than was originally anticipated by the water purveyor. Implementation of Mitigation Measure UTS-1 would ensure that there is adequate water to serve the City and that the Project would not substantially decrease groundwater supplies.

(2) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to hydrology and water quality.

New development allowed by the Project will primarily result in redevelopment and intensification of properties that are already developed with urban uses and significant impervious surfaces and will have limited effect on drainage or runoff and compliance with standard regulatory requirements will contain impacts to site specific rather than cumulative types. New development would not be anticipated to cumulatively contribute to a groundwater recharge impact, and all hydrology and water quality cumulative impacts would be less than significant with implementation of Mitigation Measure UTS-1, which would ensure adequate water to serve the City without substantial decrease in groundwater supplies. Therefore, cumulative impacts to hydrology and water quality are less than significant.

b) Mitigation:

Mitigation Measure UTS-1, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to avoid or substantially lessen the significant Hydrology and Water Quality environmental effects as identified in the FEIR.

5. Noise.

a) Facts/Effects:

(1) Existing Noise Regulations. Project implementation could result in generation of a substantial temporary increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

The Project would result in the redevelopment or intensification of properties and this would likely involve construction that would result in temporary noise generation, primarily from the use of heavy-duty construction equipment. Since individual site-specific information is unknown, potential short-term (construction-related) noise impacts are anticipated based upon activities associated with residential, commercial and retail development. Potential temporary construction-related noise increases of more than 10 dBA above ambient conditions during permissible construction hours would be a potentially significant effect. Implementation of Mitigation Measure NOISE-1, which requires the use of feasible construction noise control measures when development occurs near noise-sensitive land uses, would reduce potential construction noise impacts to less than significant levels.

(2) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to noise or vibration.

New development allowed by the Project will primarily result in redevelopment and intensification of properties that are already developed with urban uses and with higher ambient noise levels. Construction noise from individual development activities would occur, but with implementation of Mitigation Measure NOISE-1, which would require construction noise control measures, are not considered cumulatively considerable. Therefore, cumulative impacts to Noise, specifically related to existing noise regulations, are less than significant.

b) Mitigation:

Mitigation Measure NOISE-1, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to avoid or substantially lessen the significant Noise (existing noise regulations) environmental effects as identified in the FEIR.

6. Transportation and Traffic.

a) Facts/Effects:

- (1) Existing Circulation System Plans, Ordinances and Policies. The Project could conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

Project-related traffic impacts were determined by comparing the intersection LOS without and with the Project. Significant adverse traffic impacts were identified based on the City's criteria. Under the Project, residential land use growth would be focused in areas designated by the current Housing Element update, and new commercial and office development would be focused in areas designated by the proposed Land Use Plan. The Project anticipates that there will be a reduction in single-family residential units and light industrial facilities throughout the Planning Area. Seven of 30 study intersections would be less than significantly impacted with the implementation of mitigation measures over multiple years as individual properties are developed or redeveloped as follows:

- Corporate Center Drive and I-710
- Fremont Avenue and Monterey Pass Road
- Atlantic Boulevard and Brightwood Street
- Atlantic Boulevard and SR-60 Eastbound Off-Ramp
- Garfield Avenue and Pomona Boulevard
- Markland Drive and Potrero Grande Drive/SR-60 Westbound Off-Ramp
- Saturn Street/Market Place Drive and Potrero Grande Drive

b) Mitigation:

Mitigation Measures as outlined in Table 4.17-14 (Summary of Mitigation Measures), as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to avoid or substantially lessen the significant Transportation and Traffic (relative to specific intersections) environmental effects as identified in the FEIR.

7. Utilities and Service Systems.

a) Facts/Effects:

(1) Water Supply. Implementation of the Project could result in insufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years.

Water districts that serve the Planning Area completed Urban Water Management Plans (“UWMPs”) that assessed water supply availability under various scenarios and determined that there is an ample supply of water. The Project forecasts population growth that exceeds those considered in the Monterey Park UWMP. It is possible that further conservation measures may be needed. Implementation of Mitigation Measure UTS-1 would ensure that there is adequate water to serve the City and the Project reducing the impacts to a less than significant level.

(2) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to utilities and service systems.

The Project forecasts a population increase of 11,693 residents and 2,730 employees through the year 2040. This growth would result in an overall increase in demand for utility services, likely requiring new or expanded facilities over the 20-year planning horizon. New or expanded facilities would be required to comply with CEQA. Further, the cumulative impacts associated with the discrepancies between the Project population and the water district UWMP is addressed through the implementation of Mitigation Measure UTS-1. Therefore, cumulative impacts to Utilities and Service Systems are less than significant.

b) Mitigation:

Mitigation Measure UTS-1, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to avoid or substantially lessen the significant Utilities and Service Systems environmental effects as identified in the FEIR.

E. Significant Unavoidable Effects that Cannot be Mitigated to a Level of Insignificance.

The City Council finds that the following environmental effects were identified as Significant and Unavoidable in the FEIR. Implementation of the identified mitigation measures would lessen the potential environmental effects to the extent feasible but not below a level of significance.

1. Air Quality.

a) Facts/Effects:

(1) Conflicts with Local Air Quality Plan. The Project could conflict with or obstruct implementation of the applicable air quality plan.

Since the growth that could occur under the Project's 2040 conditions would be inconsistent with the 2016 RTP/SCS growth forecasts, the Project could increase the frequency and/or severity of air quality violations in the Basin or otherwise impede attainment of air quality standards. Despite implementation of Mitigation Measures AQ-2A through AQ-2D, impacts in this regard would be significant and unavoidable.

(2) Net Increase of Non-Attainment Criteria Pollutants. The Project could result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard.

Construction emissions associated with a potential level of annual development that is consistent with the Project's 2040 growth projections could result in ROG emissions during architectural coating activities that exceed SCAQMD-recommended CEQA significance thresholds. Further, the modeled maximum daily operational emissions associated with potential 2040 growth under the Project would result in NOx emissions that exceed SCAQMD-recommended CEQA significance thresholds. Despite implementation of Mitigation Measures AQ-2A through AQ-2D impacts in this regard would be significant and unavoidable.

(3) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to air quality.

The Project's 2040 growth projections, and associated construction and operational emissions, are not consistent with SCAQMD planning assumptions and exceed SCAQMD-recommended emissions thresholds. Although implementation of Mitigation Measures AQ-2A through AQ-2D would reduce impacts, a significant and unavoidable impact would remain.

b) Mitigation:

Mitigation Measures AQ-2A through AQ-2D, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to substantially lessen the significant Air Quality environmental effects as identified in the FEIR; however, the conflicts with the local air quality plan, net increase in non-attainment criteria pollutants, and certain cumulative Air Quality impacts of the Project cannot be mitigated below the threshold of significance, and are significant and unavoidable.

2. Greenhouse Gas Emissions.

a) Facts/Effects:

(1) Greenhouse Gas Emissions. The Project could generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

The Project's 2040 growth projection could result in GHG emissions that exceed the adjusted SCAQMD derived plan-level efficiency metric and this would be a significant impact. Despite implementation of Mitigation Measures AQ-2B through AQ-2D, impacts in this regard would be significant and unavoidable.

(2) Conflicts with Adopted Plans. The Project could conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

As stated above, Project growth could result in GHG emissions that exceed the 2017 Climate Change Scoping Plan's recommended efficiency metrics. Additionally, the Project has the potential to result in growth that is not planned for in the City's CAP, which would be a significant impact. Despite implementation of Mitigation Measures AQ-2B through AQ-2D, impacts in this regard would be significant and unavoidable.

(3) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to greenhouse gas emissions.

The Project's 2040 growth projections, and associated GHG emissions, could exceed emissions thresholds and pose a conflict with the 2017 Climate Change Scoping Plan and the City's CAP. Although implementation of Mitigation Measures AQ-2B through AQ-2D would reduce impacts, a significant and unavoidable impact would remain.

b) Mitigation:

Mitigation Measures AQ-2B through AQ-2D, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to substantially lessen the significant Greenhouse Gas Emissions environmental effects as identified in the FEIR; however, the conflicts with the greenhouse gas emission thresholds and adopted plan, and certain cumulative Greenhouse Gas Emissions impacts of the Project cannot be mitigated below the threshold of significance, and are significant and unavoidable.

3. Noise.

a) Facts/Effects:

(1) Increases in Traffic Noise Levels. The Project could result in generation of a substantial permanent increase in ambient noise

levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies.

The increase in traffic noise levels along Atlantic Boulevard resulting in “clearly unacceptable” low density residential noise exposure levels is a significant impact. Despite implementation of Mitigation Measure NOISE-2, impacts in this regard would be significant and unavoidable

(2) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to noise or vibration.

The Project’s long-term increases in traffic in the Planning Area would result in a cumulatively considerable increase in noise exposure to “clearly unacceptable” levels along Atlantic Avenue between El Repetto Drive and Floral Drive, which is a significant impact. Although implementation of Mitigation Measure NOISE-2 would reduce impacts, a significant and unavoidable impact would remain.

b) Mitigation:

Mitigation Measure NOISE-2, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to substantially lessen the significant Noise environmental effects as identified in the FEIR; however, the increase in traffic noise levels and certain cumulative Noise impacts of the Project cannot be mitigated below the threshold of significance, and are significant and unavoidable.

4. Transportation and Traffic.

a) Facts/Effects:

(1) Existing Circulation System Plans, Ordinances and Policies. The Project could conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

Project-related traffic impacts were determined by comparing the intersection LOS without and with the Project. Significant adverse traffic impacts were identified based on the City’s criteria. Under the Project, residential land use growth would be focused in areas designated by the current City Housing Element update, and new commercial and office development would be focused in areas designated by the proposed Land Use Plan. The Project anticipates that there will be a reduction in single-family residential units and light industrial facilities throughout the Planning Area. The Project identifies 27 of 30 study intersections as significantly impacted. Despite the implementation of mitigation measures outlined in Table 4.17-14 of the FEIR, the following Project

intersections would continue to have significant and unavoidable impacts:

- Atlantic Boulevard and Hellman Avenue
- Garfield Avenue and Hellman Avenue
- New Avenue and Hellman Avenue
- Atlantic Boulevard and Emerson Avenue
- Garfield Avenue and Emerson Avenue
- Atlantic Boulevard and Garvey Avenue
- Garfield Avenue and Garvey Avenue
- New Avenue and Garvey Avenue
- Corporate Center Drive and Ramona Boulevard
- Garfield Avenue and Newmark Avenue
- I-710 Northbound On-Ramp/Ford Boulevard and Floral Drive
- Corporate Center Drive/McDonnell Avenue and Floral Drive
- Monterey Pass Road/Mednik Avenue and Floral Drive
- Atlantic Boulevard and Floral Drive
- Collegian Avenue and Avenida Cesar Chavez
- Atlantic Boulevard and Avenida Cesar Chavez
- Atlantic Boulevard and 1st Street/SR-60 Westbound Off-Ramp
- Garfield Avenue and Riggins Street
- Garfield Avenue and Via Campo
- Wilcox Avenue and Pomona Boulevard

- (2) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to transportation and traffic.

Traffic conditions under Future 2040 with the Project would substantially impact 27 of 30 Project study intersections. Although implementation of Mitigation Measures outlined in Table 4.17-14 of the FEIR would reduce impacts, a significant and unavoidable impact would remain.

b) Mitigation:

Mitigation Measures as outlined in Table 4.17-14 (Summary of Mitigation Measures), as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to substantially lessen the significant Transportation and Traffic environmental effects as identified in the FEIR; however, the conflicts with the existing circulation plans, ordinances and policies, and certain cumulative Transportation and Traffic impacts of the Project cannot be mitigated below the threshold of significance, and are significant and unavoidable.

F. Growth Inducing Impacts.

Based upon the FEIR and the record of proceedings in this matter, the City Council finds that there are growth inducing impacts. Implementation of the Project would foster economic growth, resulting in population growth and the construction of additional housing units and nonresidential development within the Planning Area. That growth, however, is anticipated in the focused areas of the City that are already urbanized, allowing for the following net new development: 3,816 dwelling units; 619,932 square feet of new commercial uses; 883,902 square feet of new office space; and 607 hotel rooms.

Implementation of the Project could result in an estimated 11,693 new residents and 2,730 new employees within the Planning Area resulting in a 17 percent population increase over the next 20 years. While this population increase is more growth than the 2016-2040 RTP/SCS anticipates for the City of Monterey Park between 2020 and 2040 by 2,400 residents, this is not considered significant when compared to population and housing growth within the Los Angeles County region – an increase of approximately 1,188,600 residents and 452,900 households by 2040. Implementation of the Project could result in the addition of planned housing units, which would help to meet the anticipated regional housing demand.

G. Project Alternatives.

1. Alternatives Considered but Rejected.

In accordance with CEQA Guidelines § 15126.6(c), an EIR should identify any alternatives that were considered for analysis but rejected as infeasible and briefly explain the reasons for their rejection. According to the CEQA Guidelines, among the factors that may be used to eliminate alternatives from detailed consideration are the alternative's failures to meet most of the basic project objectives, the alternative's infeasibility, or the alternative's inability to avoid significant environmental impacts. There are no alternatives that were considered and rejected in the Project DEIR. Therefore, no finding is required to be made by the City Council relative to rejected alternatives in considering the FEIR.

2. No Project/Existing 2001 General Plan Alternative.

a) Description.

The No Project/Existing 2001 General Plan Alternative (No Project Alternative) assumes that development would occur within the Planning Area. The 2001 General Plan is 20 years old; the baseline data used for the original analysis is unavailable. For this alternative, it is assumed that only new residential development could occur; no new office, commercial, industrial, or hotel development would occur. Additionally, no new policies, goals, or development standards associated with the Focused General Plan Update would be implemented; the standards, goals, and policies associated with the 2001 General Plan would be applicable. Significant and unavoidable impacts identified for the Project related to Air Quality, Greenhouse Gas Emissions, Noise and Transportation would be reduced to less than significant levels with the No Project/Existing 2001 General Plan Alternative. Other environmental impacts that were identified for the Project as either no impact or less than significant impact would

remain similar or be slightly reduced with the No Project/Existing 2001 General Plan Alternative.

b) Finding.

The City Council finds that the No Project/Existing 2001 General Plan Alternative would not attain four of the five Project's basic objectives as it does not include commercial, office, or hotel development. The No Project/Existing 2001 General Plan Alternative would attain one of the five objectives but not to the same degree as the Project. Specifically, given the significant reduction in residential development associated with this alternative, the objective to "Create new housing opportunities for a full range of housing types and to increase housing affordability" would not be fully realized. The City Council finds on the basis of these considerations that the No Project/Existing 2001 General Plan Alternative, as identified in the FEIR, is infeasible.

3. Market Demand Alternative.

a) Description.

The Market Demand Alternative assumes a "market-adjusted" development scenario that evaluates the portion of the Project capacity that would likely be built by 2040, based on current and foreseeable market trends. The Market Demand Alternative reflects a reduced amount of residential, hotel and office development. This alternative would have a similar amount of total commercial space as the Project. This alternative assumes that policies, goals, or development standards associated with the Project would apply to this alternative. Development assumptions for this alternative include an overall correlating decrease in population when compared to the Project. Significant and unavoidable impacts identified for the Project related to Air Quality, Greenhouse Gas Emissions, Noise and Transportation would be reduced but would remain significant and unavoidable with the Market Demand Alternative. Other environmental impacts that were identified for the Project as either no impact or less than significant impact would remain similar or be slightly reduced with the Market Demand Alternative.

b) Finding.

The City Council finds that the Market Demand Alternative would attain the Project's basic objectives as it includes commercial, office, residential and hotel development. However, the Market Demand Alternative would not attain the five objectives to the same degree as the Project. Specifically, given the significant reduction in overall development associated with this alternative, the Project objectives providing optimal economic and housing benefits would not be fully realized. The City Council finds on the basis of these considerations that the Market Demand Alternative, as identified in the FEIR, is infeasible.

4. Reduced Density/Intensity Alternative.

a) Description.

The Reduced Density/Intensity Alternative assumes that the development in all land use categories associated with the Project would be reduced by approximately one third (33 percent). While the amount of development would be reduced, this alternative assumes that policies, goals, and development standards associated with the Project would also be applicable to development under this alternative. Development assumptions for this alternative include an overall correlating decrease in population when compared to the Project. Significant and unavoidable impacts identified for the Project related to Air Quality, Greenhouse Gas Emissions, Noise and Transportation would be reduced but would remain significant and unavoidable with the Reduced Density/Intensity Alternative. Other environmental impacts that were identified for the Project as either no impact or less than significant impact would remain similar or be slightly reduced with the Reduced Density/Intensity Alternative.

b) Finding.

The City Council finds that the Reduced Density/Intensity Alternative would attain the Project's basic objectives as it includes commercial, office, industrial, residential and hotel development. However, the Reduced Density/Intensity Alternative would not attain the five objectives to the same degree as the Project. Specifically, given the significant reduction in overall development associated with this alternative, the Project objectives providing optimal economic and housing benefits would not be fully realized. The City Council finds on the basis of these considerations that the Reduced Density/Intensity Alternative, as identified in the FEIR, is infeasible.

5. Environmentally Superior Alternative.

In compliance with Public Resources Code §15126.6(d), a matrix displaying the major characteristics and significant environmental effects of each alternative is included in the FEIR; see Table 5--2, Alternatives' Impacts Compared to Project Impacts. The purpose of this matrix is to summarize and compare how impacts associated with the implementation of the alternatives compare with the impacts associated with implementation of the Project.

Chapter 5 of the FEIR describes three alternatives to the Project including the CEQA-mandated "No Project" Alternative. Public Resources Code §15126.6 requires that one alternative be identified as the environmentally superior alternative. Furthermore, if the environmentally superior alternative is the "No Project" alternative, the FEIR must also identify the environmentally superior alternative from among the other alternatives.

Other than the No Project/Existing 2001 General Plan Alternative, the Reduced Density/Intensity Alternative would result in the least adverse environmental impacts and would therefore be the "environmentally superior alternative." This conclusion is based on the comparative impact conclusions in Table 5-2 and the analysis within Chapter 5. However, this alternative would not fully meet the objectives at the same level as the Project. The City Council finds on the basis of

these considerations that while the Reduced Density/Intensity Alternative, as identified in the FEIR, is the environmentally superior alternative, it is infeasible.

III. STATEMENT OF OVERRIDING CONSIDERATIONS.

The City Council finds on the basis of the FEIR and the entire administrative record for this matter that the unavoidable significant impacts of the Project as discussed in Section II.E. above are acceptable when balanced against the benefits of the Project. This determination is based on the following substantial economic, legal, social, technological factors, including region-wide benefits, as identified in the FEIR and the record of proceedings in the matter. Each Project objective/benefit set forth below constitutes an overriding consideration warranting approval of the Project as they outweigh the unavoidable adverse environmental effects.

- A. The Project parameters increasing density/intensity in focused areas of the City were the direct result of the analysis, findings and conclusions resulting from a Land Use Market Demand Analysis, prepared under the direction of the City in May 2019 as part of the General Plan Update to ensure the greatest economic benefit to the City and region on the whole was thoughtfully planned.
- B. The Project will help foster economic development in the City consistent with the community's vision by contributing to a strong business climate and economic growth, with positive outcomes such as business retention and attraction and employment creation balanced with new housing opportunities.
- C. The Project promotes sustainable development patterns and environmentally-friendly strategies that would minimize greenhouse gas emissions and sustain limited resources over the long term
- D. Increases the City's tax base by focusing commercial, office, industrial and hotel development and redevelopment in key urbanized areas of the City utilizing flexible approaches to land use planning and higher densities, affecting property and sales tax revenues, which in turn provides the City with resources to provide high-quality services to residents and the daytime population.
- E. The Project supports redevelopment of existing land uses with newer, more efficient development that would reduce energy consumption compared to existing conditions.
- F. The Project accommodates and encourages new businesses that promote innovation and advances in technology, high-quality service industries, and creative industries that would increase opportunities for high-skilled and knowledge workers
- G. The Project facilitates higher density, mixed use development that is effective in reducing vehicle miles traveled and fuel consumption as compared to other, more suburban types of development, improving the current balance of the City's jobs-housing ratio.
- H. The Project directs almost all planned growth into specific areas of the City to encourage infill developments that redevelop aging and underutilized properties, and stabilize the character of the City's founding neighborhoods.

- I. The use of energy resources in the Planning Area become more efficient over time with the changes in land uses envisioned by the Project and through the application of more stringent regulations that mandate energy efficiency.
- J. Implementation of the Project will result in the addition of housing units, which would help address the ever-increasing regional housing demand increasing housing affordability through flexible regulatory tools, greater range of housing types, higher densities, and expanded areas for housing as part of a mixed-use development.
- K. The Project focuses growth by increasing density/intensity of the land uses around the existing and potential transit stations along the Metro Gold Line light rail adjacent to the City's border.
- L. The Project incorporates urban design strategies that improves the physical appearance of the public realm, define the urbanized outdoor and recreation spaces, and guide the types of design appropriate for higher density, mixed-use developments including neighborhood connectivity and enhanced pedestrian experiences.
- M. The Project enhances the City's roadway network by incorporating mitigation measures that when implemented over time correlating with new development will improve the efficiency of some intersections, improving transportation and safety in the City.

IV. RECIRCULATION.

A. Facts.

The City received comments on the DEIR from members of the public and from public agencies in both written and oral form. The FEIR contains written responses to all comments ("Responses to Comments") received on the DEIR as of July 25, 2019. Some comments were incorporated into the FEIR as factual corrections and minor changes. The FEIR includes all factual corrections and minor changes to the DEIR. All comments and testimony received before and at the City Council's public hearing have been considered.

B. Finding.

Pursuant to CEQA Guidelines § 15088.5 and Public Resources Code § 21092.1, and based on the FEIR and the record of proceedings in for the Project, the City Council finds that:

1. Factual corrections and minor changes are set forth as additions and corrections to the DEIR; and
2. The factual corrections and minor changes to the DEIR are not substantial changes in the DEIR that would deprive the public of a meaningful opportunity to comment on a substantial adverse environmental effect of the Project, a feasible way to mitigate or avoid such an effect, or a feasible Project alternative; and
3. The factual corrections and minor changes to the DEIR will not result in new significant environmental effects or substantially increase the severity of the significant effects previously disclosed in the DEIR; and

4. The factual corrections and minor changes to the DEIR will not involve mitigation measures or alternatives which are considerably different from those analyzed in the DEIR that would substantially reduce one or more significant effects on the environment; and
5. The factual corrections and minor changes to the DEIR do not render the DEIR so fundamentally inadequate and conclusory in nature that meaningful public review and comment would be precluded.

Accordingly, the City Council finds that none of the conditions set forth in CEQA Guideline § 15088.5 or Public Resources Code § 21092.1 requiring recirculation of a draft environmental impact report were met. The City Council further finds that incorporation of the factual corrections and minor changes to the DEIR into the FEIR does not require that the FEIR be recirculated for public comment.

V. SUBSTANTIAL EVIDENCE.

The City Council finds and declares that substantial evidence for each and every finding made herein is contained in the FEIR, which is incorporated herein by this reference, and in the record of proceedings in the matter.

ATTACHMENT 3

Draft Monterey Park General Plan Land Use Element and Focused Environmental Impact Report

Available for inspection in the City Clerk's office
during normal business hours of
Mondays – Thursdays 8:00 a.m. – 5:00 p.m. and
Fridays 8:00 a.m. – 4:00 p.m.

[General Plan Documents available by clicking here](#)

Council Members were provided a copy.

ATTACHMENT 4

Letters from TRC Retail to City regarding General Plan Update – (dated September 24, 2019 and October 24, 2019)



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File No. 083868

October 24, 2019

VIA E-MAIL AND U.S. MAIL [MPCLERK@MONTEREYPARK.CA.GOV]

Mayor Liang and Honorable Members of the City Council
City of Monterey Park
320 West Newmark Ave.
Monterey Park, CA 91754

Re: Atlantic Square Shopping Center

Mayor Liang and Honorable Members of the City Council:

This Firm represents TRC Retail, owner of the 14.65 acre Atlantic Square Shopping Center. I recently sent the attached letter to the Planning Commission asking the City to extend the General Plan's Housing Overlay to Atlantic Square. This request was favorably received by the Planning Commission. Indeed, at its September 24th meeting, the Planning Commission moved and unanimously approved direction to staff to "*further analyze the requested land use change from Commercial to Mixed-Use for Atlantic Square located on South Atlantic Boulevard.*" Subsequently, TRC has received no communication from staff indicating it has commenced an analysis, nor any request for information that would be helpful in that analysis.

Nevertheless, in lieu of the Planning Commission's requested analysis, we are respectfully requesting the City Council apply a residential overlay and a mixed-use designation to the Atlantic Square Shopping Center as a formal part of its resolution approving the Land Use and Urban Design Element.

TRC regrets that it was not made aware of Atlantic Square's exclusion from the South Atlantic Focus Area sooner. After making a proactive inquiry, TRC had an informal conversation with the City's consultant in July but has yet to receive any written notice of the pending General Plan update. We find this curious. Not only is TRC a major landowner in the City, but the City's own *General Plan Amendment Purpose and Intent* document (attached) requires mailed notice to all property owners within 300' of a property subject to a proposed General Plan Amendment at least 10 days prior to a Planning Commission hearing. This certainly would have included Atlantic Square given its proximity to the South Atlantic Focus Area. We understand that staff did extensive outreach to City *residents* in connection with the pending General Plan update; we only wish that TRC (a non-resident property owner) had been involved earlier.

Mayor Liang and Honorable Members of the City Council
October 24, 2019
Page 2

While TRC's early involvement in the General Plan update would have been ideal and welcomed, its absence should not hinder the Council's willingness to extend the Housing Overlay to Atlantic Square. Doing so would make a meaningful 'dent' in the City's Regional Housing Need Allocation and would best position Atlantic Square for long-term success as a mixed-use destination. Given the existing housing crisis and rapidly changing global retail environment, we believe this would be a win-win for all. Your consideration and support are most appreciated.

Sincerely,



Sean T. Matsler

Enclosures

cc: Mark Hensley, Esq., City Attorney (via e-mail: mhensley@hensleylawgroup.com)
Mr. Carlos Palafox, TRC Retail (via e-mail: cpalafox@trcretail.com)

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Attachment 1

September 24, 2019 letter to Planning Commission

September 24, 2019

VIA E-MAIL [MMCAVOY@MONTEREYPARK.CA.GOV]

Chairperson Delario Robinson and Members of the Planning Commission
City of Monterey Park
320 West Newmark Ave.
Monterey Park, CA 91754

Re: Atlantic Square Shopping Center

Chairperson Delario Robinson:

This Firm represents TRC Retail (TRC), owner of the 14.65 acre Atlantic Square Shopping Center on Atlantic Boulevard in the City of Monterey Park (Atlantic Square or Property). The Property is located on the eastside of Atlantic Boulevard, directly across from the South Atlantic Focus Area, as shown in Figure 1. Both the Property and the South Atlantic Focus Area are currently designated “Commercial” in the General Plan. The pending General Plan Update proposal, however, only recommends that the South Atlantic Focus Area receive a new Housing Overlay allowing attached residential uses at 60 dwelling units per acre. Given the transitioning nature of the retail industry and the State’s ongoing Regional Housing Need Allocation (RHNA) process, the purpose of this letter is to formally and respectfully request that the City apply the Housing Overlay to Atlantic Square as well as the South Atlantic Focus Area.

Figure 1: Current General Plan Update Proposal



1. Atlantic Square Overlay Needed to Satisfy City's RHNA Obligations

As part of the California Department of Housing and Community Development's (HCD) ongoing Regional Housing Need Allocation (RHNA) process, the Southern California Association of Governments (SCAG) will allocate the total number of homes that the City needs to plan for in order to meet the housing needs of people at all income levels. Once the allocation occurs, it is the City's responsibility to update its general plan to show the locations where that housing can be built. Applying the Housing Overlay to Atlantic Square will help the City meet its RHNA obligations, and prevent the City from adopting a General Plan Update that will soon be made obsolete.

In its August 22, 2019 letter to SCAG, HCD determined that the minimum regional housing need determination for SCAG to distribute among its local governments was 1,344,740 units among four income categories. This is over *three-times* the 430,000 units that SCAG had advocated for, which provides a glimpse into how seriously the State is taking the housing crisis.

SCAG is responsible for determining how the 1,344,740 unit regional housing need determination will be allocated to cities and counties across the six-county SCAG region.¹ The allocation of these 1,344,740 units to individual cities is ongoing and will not be final until October 2020. However, as an interim planning tool, SCAG has published a spreadsheet that estimates each city's potential allocation under three different methodologies. These three methodologies are shown in Figure 2 below as Options 1, 2 and 3:

Figure 2: RHNA Methodology Options²

Option 1	Option 2	Option 3
<ul style="list-style-type: none">• Share of population• Share of population within high quality transit areas• Share of regional undersupply of building permits issued• Local input/Future vacancy need/Replacement need• Social equity adjustment	<ul style="list-style-type: none">• Share of population• Share of population within high quality transit areas• Social equity adjustment	<ul style="list-style-type: none">• Local input/Future vacancy need/Replacement need• Social equity adjustment

¹ The SCAG region includes Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties.

² Source: <http://www.scag.ca.gov/programs/Documents/RHNA/RHNA101-072919webinar.pdf>

The City's allocation under each of the three options is between 1,701 and 5,248 units, as shown in Figure 3 below. Even the lowest scenario of 1,701 units is more than double the City's existing 815 unit allocation.

Figure 3: SCAG's Monterey Park RHNA Estimates³

<p><u>Option 1: 4,401 units total</u> consisting of the following:</p> <ul style="list-style-type: none"> • Very-low income (<50% of AMI) = 1,635 units • Low income (50-80% of AMI) = 1,194 units • Moderate income (80-120% of AMI)= 1,230 units • Above moderate income (>120% of AMI) = 342 units 	<p><u>Option 2: 5,258 units total</u> consisting of the following:</p> <ul style="list-style-type: none"> • Very-low income (<50% of AMI) = 1,259 units • Low income (50-80% of AMI) = 816 units • Moderate income (80-120% of AMI)= 846 units • Above moderate income (>120% of AMI) = 2,337 units 	<p><u>Option 3: 1,701 units total</u> consisting of the following:</p> <ul style="list-style-type: none"> • Very-low income (<50% of AMI) = 407 units • Low income (50-80% of AMI) = 264 units • Moderate income (80-120% of AMI)= 274 units • Above moderate income (>120% of AMI) = 756 units
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General Plan Update Table 3-4 estimates that it would increase the number of housing units within the Planning Area by 3,656 units. While laudable, this figure is still well short of the Option 1 and 2 estimates. By extending the City's proposed Housing Overlay to Atlantic Square, the City could plan for an additional 879 housing units (i.e., 60 du/acre x 14.65 acres).

2. Changing Nature of Retail Favors Mixed-Use at Atlantic Square

TRC remains committed to the long-term success of Atlantic Square, which has been an important fixture in the Monterey Park community. That said, Atlantic Square—like many other brick-and-mortar shopping centers throughout the County—suffers financially from the on-going consumer transition to online sales. This is why the long term trend in the retail industry is to shift from in-line, anchor-based retail centers like Atlantic Square to food, beverage and service destinations where residential and retail uses cohabitate. This new retail model prioritizes the

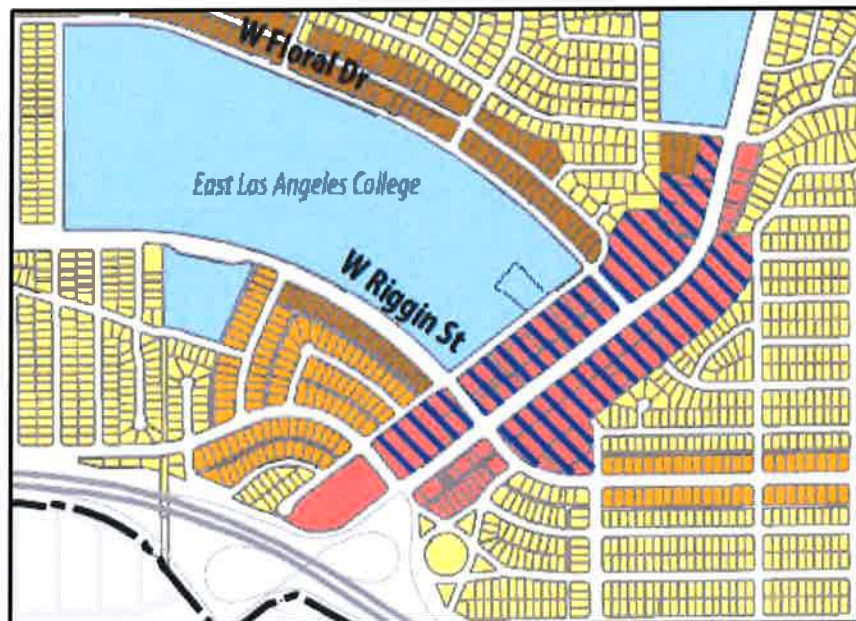
³ The Proposed RHNA Methodology Estimate Tool for Options 1, 2 and 3 (Updated 8/26/19) is available at: <http://www.scag.ca.gov/programs/Documents/RHNA/RHNA-Proposed-Methodology-Estimate-Tool-Options1-3.xlsx>

convenience associated with mixed-uses and seeks to provide consumer experiences relevant to their lifestyles and contemporary consumer habits. TRC believes that the General Plan Update represents the right process at the right time to lay the ground for repositioning Atlantic Square for future success.

3. Proposed General Plan Land Use Map

In lieu of the proposed General Plan Land Use Map shown in Figure 1, TRC respectfully requests that the City adopt the map shown in Figure 4 below. The Figure 4 map applies the 60 du/acre Housing Overlay to Atlantic Square, thereby increasing the City's progress toward its ultimate RHNA obligation by 879 housing units. The proposed extension of the Housing Overlay will also allow TRC the flexibility to respond to retail and housing industry market trends in the coming years.

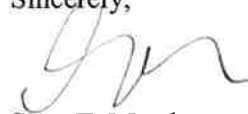
Figure 4: TRC Retail's General Plan Update Proposal



4. **Conclusion**

While it is TRC's intent to continue working with the City to upgrade and reposition Atlantic Square for optimum performance in the near term, we believe Atlantic Square's long-term contributions to Monterey Park will be as a mixed-use destination whose improved sales and property tax increments will provide a significant net-benefit to the City's General Fund. TRC thanks you for your consideration.

Sincerely,



Sean T. Matsler

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cc: Mr. Mark McAvoy, Director of Public Works/City Engineer
Mark Hensley, Esq., City Attorney (via e-mail: mhensley@hensleylawgroup.com)
Karl H. Berger, Esq., Asst. City Attorney (via e-mail: kberger@hensleylawgroup.com)
Mr. Jon Turner, Acting City Planner (via hand delivery)
Mr. Carlos Palafox, TRC Retail (via e-mail: cpalafox@trcretail.com)

Attachment 2

City of Monterey Park: General Plan Amendment Purpose and Intent



CITY OF MONTEREY PARK

GENERAL PLAN AMENDMENT PURPOSE AND INTENT

A General Plan Amendment is an entitlement application which requires a public hearing at the Planning Commission and City Council level. The Planning Commission serves as an advisory body and recommends to the City Council either denial or approval of the General Plan Amendment. The City Council is the legislative body which adopts the General Plan Amendment. Each Element of the General Plan can be amended a total of five times per year and on a quarterly basis. Typically, General Plan Amendments are initiated by staff unless a specific request is made by an applicant as part of a development proposal and is usually prepared in conjunction with a Zone Change. The purpose and intent of the General Plan Amendment is to allow the City the opportunity to modify an area of each Element in order to accommodate a change to the physical, social or economic development of the community. However, the proposed amendment can not result in creating internal inconsistencies and internal conflicts with the Elements of the General Plan. Also, the amendment can not result in creating a land use which will be inconsistent and incompatible with existing and anticipated uses within the area.

APPLICATION PROCESS

1. An application for a General Plan Amendment shall be made by a property owner or his/her authorized agent. An application shall be properly filled-out with the notarized signature of the property owner of record as of the date the application is submitted.
2. The Planning Division shall assess and collect an application filing fee. The fees as based upon the most recent fee scheduled adopted by the City Council.
3. The applicant shall submit all of the application materials outlined on the application checklist.
4. Staff reviews, researches and evaluates the proposal, then prepares an environmental assessment and a Staff Report with recommendations for the Planning Commission.
5. Within 30 days of application receipt, Staff will deem the application complete or incomplete. If incomplete, the applicant is notified and advised how to prepare the application for re-submittal. If complete, the Secretary to the Planning Commission shall place the item on the Planning Commission agenda for public hearing.
6. Notice of such hearing shall be given by mailing the notice, postage prepaid, at least 10 days prior to the hearing to all property owners whose names and addresses appear on the latest adopted tax roll as owning property within a distance of 300 feet from the exterior boundaries of the applicant's property.
7. The time and place of such hearing shall be set by the Secretary to the Planning Commission. Such notice shall include a general explanation of the matter to be considered and a general description of the area affected.
8. The Planning Commission convenes the public hearing where the applicant's representative presents the request and answers any questions from the Commission. Public input is solicited at this time.
9. The Planning Commission, based on the information and evidence presented in the hearing, makes a recommendation to the City Council. The recommendation will be to approve or deny the application. Notice of the action taken shall be mailed to the applicant.
10. The item will be set at the next available City Council meeting. The City Council will vote to approve or deny the amendment. Certain amendments require ratification by the voters of the City in a general or special election. In these cases, the City Council will set the election date and certify the amendment for the ballot.
11. If an election is required per MPMC 21.78, the amendment will be final when the election results are certified by the City Clerk.

ATTACHMENT 5

Planning Commission Staff Report dated September 24, 2019



Planning Commission Staff Report

DATE: September 24, 2019

AGENDA ITEM NO: 3-B

TO: The Planning Commission
FROM: Mark A. McAvoy, Director of Public Works/City Engineer/City Planner
SUBJECT: Consideration and possible action to adopt a Resolution recommending that the City Council approve the draft Land Use Element, Focused Environmental Impact Report, and Findings of Fact and Statement of Overriding Considerations.

RECOMMENDATION:

It is recommended that the Planning Commission consider:

- (1) Opening the public hearing;
- (2) Receiving documentary and testimonial evidence;
- (3) Closing the public hearing;
- (4) Adopting a Resolution recommending that the City Council approve the Land Use Element, Focused Environmental Impact Report, and Findings of Fact and Statement of Overriding Considerations; and
- (5) Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

CEQA Guidelines § 15060 provides that if a lead agency determines that an **environmental impact report ("EIR")** will clearly be required for a project, the agency may by-pass initial review of the project and immediately begin work on the EIR pursuant to CEQA Guidelines § 15080. In the absence of an initial study, the lead agency must still focus the EIR on the significant effects of the project and briefly indicate its reasons for determining that other effects would not be significant or **potentially significant. The City determined that preparation of a Draft EIR ("DEIR") was required for the Project.** No initial study was conducted nor were any of the CEQA Appendix G checklist topical areas eliminated from consideration of impacts. Consequently, all 20 of these topical areas were analyzed in the DEIR before determining that any impact was insignificant or less than significant.

CEQA permits agencies to certify a final EIR ("FEIR") that discloses significant and unavoidable impacts if it can determine that the benefits of the proposed project outweigh the significant impacts. Significant and unavoidable impacts anticipated as a result of implementation of this project include air quality, greenhouse gas emissions, noise, and transportation and traffic. While mitigation has been recommended to reduce these impacts, they remain significant and unavoidable for several reasons. Implementation of certain traffic and transportation improvements are outside the City's jurisdiction and the City cannot compel another agency to implement these

improvements. The benefits of the proposed Project that should be weighed against these significant and unavoidable impacts include, without limitation, economic growth and development; promotion of sustainable development; increased employment opportunities for highly skilled workers; reduction in per capita vehicle miles traveled; and the provision of housing.

EXECUTIVE SUMMARY:

The City Council authorized an update to the Monterey Park General Plan in 2018 (termed "Monterey Park 2040"). While the General Plan contains several elements, the first element identified by the City Council for consideration is the Land Use Element (the "LUE"). The LUE contemplates the future use and reuse of land within the City and establishes long-range goals for development in terms of land use type and intensity, as well as urban character and form. This update to the LUE reflects City Council direction; input from the General Plan Advisory Committee (which was appointed by the City Council); consideration of comments submitted by members of the public; and recommendations by City staff.

BACKGROUND:

At the direction of the City Council in 2018, the City began the process for updating the Monterey Park General Plan (the "GP"). Under California law, the GP must include seven elements: Land use; Circulation (traffic); Housing; Conservation (natural resources); Open space (recreation, etc.); Noise; and Safety (fires, seismic & geological hazards). The GP – particularly the Land Use Element – constitutes the City's "constitution" for economic, social, and land use development. The last comprehensive update to the GP occurred in 2001.

In Monterey Park, voter approval is required for amendments to the Land Use Element ("LUE"). Accordingly, the City Council opted to proceed with updating the LUE first with the objective of placing a proposition on the November 2019 ballot. For various reasons – including election costs estimated at nearly \$500,000 – the Council opted instead to place a proposition on the March 2020 ballot. Since this is already a general municipal election, the cost savings to the City is significant.

On February 20, 2019, the City Council formed the GPAC by appointing 11 individuals to help facilitate updates to the LUE (a list of the GPAC members is included within Attachment 4). Between March 11, 2019 and May 6, 2019, the GPAC held four meetings to consider the draft LUE. Additionally, the City Council held a workshop on May 7, 2019 to consider the matter. Overall, the City conducted seven events for public attendance – including a booth at the Cherry Blossom Festival (held from April 27-28th) – to solicit public input. These efforts were in addition to the dedicated webpage regarding the matter that solicits public input (<https://www.montereypark.ca.gov/1249/General-Plan-Update---Monterey-Park-2040> or <https://tinyurl.com/yyvc4xto>) and a public survey that ended on April 15, 2019.

The EIR and LUE are now in draft form and ready to be considered by the Planning Commission. Notice for a public hearing on September 24, 2019 before the Planning

Commission was posted at City Hall, Monterey Park Bruggemeyer Library, and Langley Center on August 20, 2019 and published in the Wave on September 5, 2019, with affidavits of posting on file.

On September 4, 2019, an update was provided to the City Council regarding the process and next steps. Additionally, the City Council was provided the opportunity to give direction to staff as to the LUE process, e.g., whether further meetings by the GPAC or public workshops should be held. Overall, the City Council did not express concerns about the public outreach process and did not provide further direction regarding additional outreach efforts.

PROPOSED UPDATES:

The attached Focused Area Summary Table summarizes the Land Uses, Current Floor Area Ratio (FAR) and Height Maximums, and Proposed FAR and Height Maximums. No changes are proposed to the existing Low Density Residential (LDR), Medium Density Residential (MDR), and High Density Residential (HDR) Land Uses. The updates proposed concentrate on the Focused Areas identified in the 2001 General Plan, including Downtown Monterey Park, East Garvey, Atlantic Boulevard, Mid Atlantic, South Atlantic, North Garfield, South Garfield, Monterey Pass Road, Corporate Center, Oil/Edison, and Saturn Park.

Since the draft LUE was published, a request was made by a property owner to change the land use density at 1688 W. Garvey Avenue from HDR to MDR land use. Attached is the correspondence supporting that request. Based upon that correspondence, it is recommended that the Planning Commission change the land use designation for that property.

Throughout the public outreach process, members of the community were asked about strengths, challenges and opportunities within the current conditions of the City. Many members of the public expressed that they want to see new and diverse economic opportunities within the City. The Focused Area Summary Table shows current land Designations and FAR and Height Maximums. Since 2001, the City has experienced redevelopment predominately in the North Atlantic and Oil/Edison Focus Areas with little to no changes in the other identified Focused Areas. This absence of redevelopment was the driving force behind the proposed updates and a reevaluation of the Land Uses and FAR and Height Maximums. The Focused Area Summary Table also shows the proposed updates; both increases and decreases in FAR and Height Maximums are proposed to more accurately reflect existing conditions and development patterns since the 2001 General Plan update. In some of the Focused Areas, the FAR is proposed to remain the same while the height may slightly increase and in other Areas the height may remain the same while the FAR may slightly increase. The goals and objectives identified in the draft General Plan Land Use Element is to find a balance between land use, FAR, and heights, in order to form the long-range vision for the City for the next 20 years.

In preparation of the resolution and staff report, Staff has identified the following corrections and clarifications to the draft LUE (included as Attachment 4 to this staff report):

The parcel located at 1688 W. Garvey is currently proposed to be zoned as High Density Residential; however, from a topographical standpoint, as well as the underlying geologic issues and the proposed geotechnical solutions for development, this parcel is not a good candidate for high density residential. Specifically, development will be constrained due to the steep slopes on the property and the required corrective action to cure historic geotechnical failures on the property – which is anticipated to involve the use of tiebacks. Accordingly, the property should be designated as Low Density Residential and the LUE should be amended to reflect that change in designation.

Additionally, MIG has identified the following insubstantial corrections to the attached draft of the Land Use Element:

- Renumber goals and policies to Goal 1, policies 1.1, 1.2, etc. (on page 39 of the LUE);
- Fix policy numbering under Goal 3 (see page 40 of the LUE);
- Replace the phrase "home ownership" with the word "homeownership" (on page 47 of the LUE);
- Change "North Atlantic" to "North Garfield" within the list located on page 48; and
- Change "North Atlantic" to "North Garfield" on page 59.

FISCAL IMPACT:


As part of the Fiscal Year 2018/2019 annual budget, the City Council authorized \$400,000 for the General Plan update and an additional amount of \$349,607 was allocated from the Capital Improvement Projects – Downtown Improvements set aside funds, which has a balance of \$916,760.

Respectfully submitted,

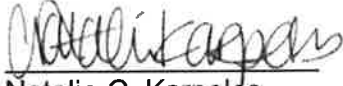


Mark A. McAvoy
Director of Public
Works/City Engineer/City
Planner

Prepared by:


Samantha Tewasart
Senior Planner

Reviewed by:


Natalie C. Karpeles
Deputy City Attorney

Attachments:

- Attachment 1: Draft Resolution
- Attachment 2: Finding of Facts and Statement of Overriding Considerations
- Attachment 3: Focused Area Summary Table
- Attachment 4: Draft Monterey Park General Plan Land Use Element and
Focused Environmental Impact Report
- Attachment 5: 1688 West Garvey Avenue Zoning Clarification Letters, dated
September 4, 2019 and September 10, 2019

ATTACHMENT 1

Draft Resolution

RESOLUTION NO. 15-19

A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT, ADOPT FINDINGS AND A STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPT A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE MONTEREY PARK FOCUSED GENERAL PLAN UPDATE – MONTEREY PARK 2040.

The Planning Commission of the City of Monterey Park does resolve as follows:

SECTION 1. The Planning Commission finds and declares that:

- A. California Government Code §§ 65300-65302 require the City to adopt and maintain a General Plan that contains certain elements, describes its long-term goals, and develops policies and programs to achieve those goals. By statute, a General Plan is required to be updated “periodically”; and
- B. The City is currently proposing a focused update to the General Plan – Monterey Park 2040 – currently consisting only of revisions to the Land Use Element (the “Project”), and which warrants preparation of an Environmental Impact Report (EIR);
- C. The City of Monterey Park, as lead agency, has prepared an EIR for the Project (State Clearing House No. 2001-01-1074). The EIR consists of the Draft EIR (“DEIR”) and the Final EIR (“FEIR”);
- D. The Project includes a wide variety of objectives, policies, and implements programs designed to enhance the public health, safety, and welfare. The Project further protects the public health by and safety through reliance on mitigation measures and policies requiring the adoption of impact fees.
- E. The City reviewed the Project’s environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, “CEQA”) and the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, *et seq.*, the “CEQA Guidelines”); and
- F. On September 24, 2019, the Planning Commission held a public hearing regarding the Project. This Resolution, and its findings, is adopted based upon the evidence set forth in the entire record including, without limitation, documentary and testimonial evidence; the staff report; and such additional information set forth in the entire administrative record that is too voluminous to reference, but is on file with the City Clerk’s office.

SECTION 2. *Factual Findings and Conclusions.* The Planning Commission finds that the following facts exist and makes the following conclusions:

**PLANNING COMMISSION
RESOLUTION NO. 15-19
PAGE 2 OF 5**

- A. In 2018, the City Council directed staff to begin comprehensive updates to the Monterey Park General Plan; the first element to be considered is the Land Use Element (LUE) – which was last updated in 2001.
- B. The City has sought to proactively engage the public regarding the focused update to the General Plan including: (1) creating the General Plan Advisory Committee (GPAC); (2) conducting stakeholder interviews; (3) creating a public website for the Project; (4) circulating a community survey; (5) polling participants of the Cherry Blossom Festival regarding land use alternatives; (6) hosting a public meeting to present the General Plan's technical findings; and (7) holding an environmental scoping meeting.
- C. The proposed focused update to the General Plan contains a thorough and adequate treatment of land use, economic, environmental and development issues within the realm of the planning period.
- D. The proposed focused update to the General Plan is internally consistent and would not be a detriment to the public interest, health, safety, convenience, and welfare of the City.
- E. The proposed focused update to the General Plan encourages appropriate land uses, preservation of neighborhood character and natural resources, infill of vacant land area, new multi-family residential development, provision of urban services and utilities, pedestrian facilities and enhancement of the property tax base.

SECTION 3. *Environmental Assessment.* The Planning Commission makes the following environmental findings:

- A. Because of the facts and conclusions identified in Section 2 of this Resolution and in accordance with CEQA Guidelines § 15082, the City filed a Notice of Preparation (NOP) of a Draft EIR (DEIR) with the State Clearinghouse (SCH) Office of Planning and Research (OPR); the NOP included a comment period from April 16 to May 16, 2019. The SCH OPR assigned SCH Number 2001-01-074 to the environmental documentation for the Project.
- B. A Scoping Meeting to solicit public input on the issues proposed for consideration in the DEIR was held on May 7, 2019 at 6:00 P.M. at the Monterey Park City Hall Council Chambers. A total of six written responses were received on the NOP.
- C. In accordance with CEQA, a Notice of Completion (NOC) of the DEIR was filed with the SCH OPR on June 7, 2019.

SECTION 4. The public review period for the DEIR commenced on June 10, 2019 and ended on July 25, 2019. The DEIR was distributed to government agencies,

**PLANNING COMMISSION
RESOLUTION NO. 15-19
PAGE 3 OF 5**

neighboring cities and interested parties. The City's Notification Mailing List is available at the City of Monterey Park's Planning Department. A total of three written responses were received on the DEIR.

- A. Comments received during the public review period for the DEIR were responded to in the Responses to Comments Report.
- B. A FEIR was prepared for the Project, comprised of the following components:
 - 1. DEIR and Technical Appendices (June 2019).
 - 2. Comments received on the DEIR and responses to those comments documented in the Responses to Comments Report (June 2019).
 - 3. Clarifications and Revisions.
 - 4. Mitigation Monitoring and Reporting Program (MMRP).
- C. The FEIR (including documents and other materials that constitute the record of proceedings on which the City's findings and decisions are based) is located at City of Monterey Park, 320 W. Newmark Avenue, Monterey Park, CA 91754. The custodian for these documents is the Senior Planner. This information is provided in compliance with CEQA § 21081.6(a)(2) and CEQA Guidelines § 15091(e).
- D. The FEIR is incorporated into this Resolution by reference as if fully set forth. Pursuant to CEQA Guidelines § 15090, the FEIR reflects the City's independent judgment and analysis. The Planning Commission has independently reviewed and analyzed the DEIR prepared for the proposed Project. The DEIR and FEIR are accurate and complete statements of the potential environmental impacts of the Project.
- E. Because of the facts identified in this Resolution, the DEIR showed that a Statement of Overriding Considerations would be required in order for the Project to be approved.
- F. The FEIR generally identifies, for each potentially significant impact of the project, one or more corresponding mitigation measures to reduce such impact to a level of insignificance, with the exception of Air Quality, Greenhouse Gas Emissions, Noise, and Transportation and Traffic. The Planning Commission finds that many of the mitigation measures described in the FEIR may lessen or avoid impacts in impact categories other than the categories for which they are specifically proposed. Accordingly, the Planning Commission finds that each potentially significant impact identified by the FEIR is mitigated by its corresponding mitigation measures to the extent set forth in the FEIR ("specific

**PLANNING COMMISSION
RESOLUTION NO. 15-19
PAGE 4 OF 5**

mitigation”) and by other, non-corresponding, mitigation measures recommended for approval by the Planning Commission that were already incorporated into the Project (“general mitigation”). These findings will be applicable wherever supported by the evidence in the record regardless of whether a specific finding or an instance of such general mitigation is made.

SECTION 5. Actions. The Planning Commission recommends that the City Council takes the following actions:

- A. Adopts the LUE attached as Attachment 4, and incorporated into this Resolution by reference;
- B. Certifies the FEIR attached as Attachment 4, and incorporated by reference, subject to the mitigation monitoring and reporting program (“MMRP”) required by CEQA § 21081.6 and CEQA Guidelines § 15097;
- C. Adopts the Findings of Fact and a Statement of Overriding Considerations in accordance with the requirements of CEQA § 21081 as set forth in attached Attachment 2, which is incorporated into this Resolution by reference; and
- D. Adopts the MMRP set forth in attached Attachment 4, which is incorporated into this Resolution by reference, in accordance with the requirements of CEQA §§ 21081(a) and 21081.6.

SECTION 6. Reliance on the Record. Each and all of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the Planning Commission in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 7. Limitations. The Planning Commission’s analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the Planning Commission’s lack of knowledge of future events. In all instances, best efforts were made to form accurate assumptions. Somewhat related to this are the limitations on the City’s ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 8. Summaries of Information. All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The

**PLANNING COMMISSION
RESOLUTION NO. 15-19
PAGE 5 OF 5**


absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 9. This Resolution will remain effective until superseded by a subsequent resolution.

SECTION 10. The City Clerk is directed to mail a copy of this Resolution to any person requesting a copy.


SECTION 11. This Resolution will take effect immediately upon adoption.

ADOPTED AND APPROVED this 24th day of September 2019.

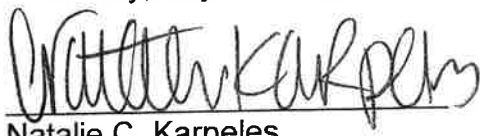

Chairperson Eric Brossy de Dios

I hereby certify that the foregoing Resolution was duly adopted by the Planning Commission of the City of Monterey Park at the regular meeting held on the 24th day of September 2019, by the following vote of the Planning Commission:

AYES:	Commissioners Brossy de Dios, Choi, Amador, Salazar, and Robinson
NOES:	None
ABSTAIN:	None
ABSENT:	None


Mark A. McAvoy, Secretary

APPROVED AS TO FORM:
Mark D. Hensley, City Attorney

By: 
Natalie C. Karpeles,
Deputy City Attorney

ATTACHMENT 2

Finding of Facts and Statement of Overriding Consideration

**PLANNING COMMISSION RESOLUTION NO.
EXHIBIT ____**

**CITY COUNCIL RESOLUTION NO. ____
Exhibit ____**

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS

After receiving, reviewing, and considering all the information in the entire administrative record for Environmental Impact Report (SCH #2001-01-1074) and the Monterey Park Focused General Plan Update – Monterey Park 2040 (the “Project”) including, without limitation, the factual information and conclusions set forth in this Resolution and its attachment, the City Council finds, determines, and declares as follows:

I. FINDINGS REQUIRED BY CEQA.

CEQA Guidelines § 15090 require the City to certify that:

1. The Final Environmental Impact Report (“FEIR”) has been completed in compliance with CEQA;
2. The FEIR was presented to the decision-making body of the lead agency and that that decision-making body reviewed and considered the information contained in the final EIR before approving the Project; and
3. The FEIR reflects the lead agency’s independent judgment and analysis.

II. FINDINGS REGARDING THE POTENTIAL ENVIRONMENTAL EFFECTS OF THE PROJECT.

A. Determination to Prepare an Environmental Impact Report (“EIR”).

CEQA Guidelines § 15060 provides that if the lead agency can determine that an EIR will be clearly required for a project, the agency may skip further initial review of the project and begin work directly on the EIR process described in commencing with CEQA Guidelines § 15080. In the absence of an initial study, the lead agency must still focus the EIR on the significant effects of the project and briefly indicate its reasons for determining that other effects would not be significant or potentially significant. The City of Monterey Park determined that preparation of a Draft EIR (“DEIR”) was required for the Project. No initial study was conducted nor were any of the CEQA Appendix G checklist topical areas eliminated from consideration of impacts. Therefore, in the absence of preparing an initial study, all 20 of these topical areas were analyzed in the DEIR before determining that any impact was insignificant or less than significant.

B. Impacts Found To Be Insignificant in the DEIR.

The analysis within the DEIR for the Project, dated June 2019, identified the following environmental effects as not potentially significant. Accordingly, the City Council finds that the DEIR, the FEIR, and the record of proceedings for the Project do not identify or contain substantial evidence identifying significant environmental effects of the Project with respect to the areas listed below.

1. Agriculture and Forestry Resources.

2. Biological Resources (Animal Migration and Conservation, and Habitat Conservation Plans).
3. Geology and Soils (Septic Tanks).
4. Hazards and Hazardous Materials (Airports).
5. Hydrology and Water Quality (Drainage – Impede or Redirect Flood Flows).
6. Mineral Resources.
7. Transportation and Traffic (Conflicts with CEQA).
8. Utilities and Service Systems (Solid Waste Regulations).

C. Impacts Identified as Less Than Significant in the DEIR.

The analysis within the DEIR identified the following environmental effects as less than significant. Accordingly, the City Council finds that the DEIR, the FEIR, and the record of proceedings for the Project do not identify or contain substantial evidence identifying significant environmental effects of the Project with respect to the areas listed below.

1. Aesthetics.
2. Air Quality (Exposure of Sensitive Receptors to Pollutants; and Objectionable Odors).
3. Biological Resources (Sensitive Natural Communities and Riparian Habitat; Wetland Conservation; and Local Biological Resource Policies).
4. Cultural Resources (Archaeological Resources; and Human Remains).
5. Energy
6. Geology and Soils (Faults, Liquefaction, and Seismic-Related Ground Failure; Soil Erosion; Slope Stability and Landsliding; Expansive Soils; Paleontological Resources).
7. Hazards and Hazardous Materials (Transport, Use, and Disposal Hazards; Hazardous Materials; Emit Hazardous Emissions; Hazardous Materials Sites; Adopted Response and/or Evacuation Plans; and Wildland Fires).
8. Hydrology and Water Quality (Water Quality Standards; Drainage; Flood Risk; and Water Quality).
9. Land Use and Planning.
10. Noise (Increase in Stationary and Other Sources of Noise; Groundborne Vibrations; and Excessive Noise Levels Within Airport Vicinity).
11. Population and Housing.

12. Public Services
13. Recreation.
14. Transportation and Traffic (Design Feature Hazards; and Emergency Access).
15. Tribal Cultural Resources.
16. Utilities and Service Systems (Relocation or New Utilities; Wastewater Capacity; and Solid Waste Capacity).
17. Wildfire.

D. Impacts Identified as Potentially Significant in the DEIR But Which Can Be Reduced to Less-Than-Significant Levels with Mitigation Measures.

The City Council finds that the following environmental effects were identified as Less Than Significant with Mitigation Incorporated in the DEIR, the FEIR, and implementation of the identified mitigation measures would avoid or lessen the potential environmental effects listed below to a less-than-significant level.

1. Biological Resources.

a) Facts/Effects:

(1) Special Status Species Protections. The Project could have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

The burrowing owl (*Athene cunicularia*), a California species of special concern, has low potential to occur in the Planning Area of the Project due to grasslands (including non-native that have been mowed or disked) and where suitable burrows are present (typically from presence of the California ground squirrel (*Otospermophilus beecheyi*) or other mammal burrows, as well as debris piles, and man-made culverts. Additionally, native trees, ornamental trees, and various other substrates within the Planning Area have to provide nesting habitat for protected bird species, where destruction of or disturbance to an active nest is prohibited. Project-related construction activities could have the potential to result in significant direct and/or indirect impacts. Implementation of Mitigation Measures BIO-1 through BIO-3 would lessen construction-related impacts by requiring pre-construction surveys and consultation to determine appropriate protocols that must be employed to reduce the impact of this environmental effect to a less than significant level.

(2) Cumulative Impacts. The project could cause substantial adverse cumulative impacts with respect to biological resources.

The Planning Area is mostly developed and urbanized. All cumulative biological impacts associated with implementation of the Project would be less than significant with implementation of Mitigation Measures BIO-1 through BIO-3, which address any potential impacts to burrowing owls and nesting migratory birds. Therefore, no unavoidable, cumulative impacts to biological resources would result from the Project.

b) Mitigation:

Mitigation Measures BIO-1 through BIO-3, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to avoid or substantially lessen the significant biological resources environmental effects as identified in the FEIR.

2. Cultural Resources.

a) Facts/Effects:

(1) Historic Resources. The Project could cause a substantial adverse change in the significance of a historic resource pursuant to CEQA Guidelines §15064.5.

The City identified two historic built environments (Cascades Park and the Jardin del Encanto complex) as listed on the California Register of Historic Resources, and a City Point of Interest (Midwick View Estates) noted by the California office of Historic Preservation. There are no known California Landmarks, no listed buildings or structures on the National Register of Historic Places and the City has not conducted an historic resources survey. Therefore, the number of potential buildings or structures within the City are unknown. The City also does not have regulatory policies in place to protect historic resources. Therefore, an historic conservancy through mitigation is required to avoid or minimize impacts to historic built environments. Implementation of Mitigation Measure CUL-1 would reduce impacts from development on potential historic (buildings and structures) resources to a less than significant level.

(2) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to cultural resources.

The Planning Area is most developed and urbanized but lacks any comprehensive survey of historic structures and/or buildings. All cumulative cultural resource impacts associated with implementation of the Project would be less than significant with implementation of Mitigation Measure CUL-1, which address any potential impacts to an historic resource by requiring an "unique historic resource" evaluation before demolition or alteration of buildings or structures 45 years and

older. Therefore, no unavoidable, cumulative impacts to cultural resources would result from the Project.

b) Mitigation:

Mitigation Measure CUL-1, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to avoid or substantially lessen the significant cultural resources environmental effects as identified in the FEIR.

3. Hydrology and Water Quality.

a) Facts/Effects:

(1) Decrease in Groundwater Supplies. The Project could substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

Implementation of development allowed by the Project is anticipated to largely occur within designated focus areas that are currently developed areas of the City where new impervious surfaces would be minimal and are not expected to interfere with groundwater recharge. However, the City's primary water source is groundwater from seven active wells within the Main San Gabriel Groundwater Basin. Ample water supply is anticipated to serve the expected population as projected by the City of Monterey Park and CalWater planning documents through to 2040. The Project, however, anticipates an increased population, resulting in a possible increase in demand than was originally anticipated by the water purveyor. Implementation of Mitigation Measure UTS-1 would ensure that there is adequate water to serve the City and that the Project would not substantially decrease groundwater supplies.

(2) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to hydrology and water quality.

New development allowed by the Project will primarily result in redevelopment and intensification of properties that are already developed with urban uses and significant impervious surfaces and will have limited effect on drainage or runoff and compliance with standard regulatory requirements will contain impacts to site specific rather than cumulative types. New development would not be anticipated to cumulatively contribute to a groundwater recharge impact, and all hydrology and water quality cumulative impacts would be less than significant with implementation of Mitigation Measure UTS-1, which would ensure adequate water to serve the City without substantial decrease in groundwater supplies. Therefore, cumulative impacts to hydrology and water quality are less than significant.

b) Mitigation:

Mitigation Measure UTS-1, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to avoid or substantially lessen the significant Hydrology and Water Quality environmental effects as identified in the FEIR.

5. Noise.

a) Facts/Effects:

(1) Existing Noise Regulations. Project implementation could result in generation of a substantial temporary increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

The Project would result in the redevelopment or intensification of properties and this would likely involve construction that would result in temporary noise generation, primarily from the use of heavy-duty construction equipment. Since individual site-specific information is unknown, potential short-term (construction-related) noise impacts are anticipated based upon activities associated with residential, commercial and retail development. Potential temporary construction-related noise increases of more than 10 dBA above ambient conditions during permissible construction hours would be a potentially significant effect. Implementation of Mitigation Measure NOISE-1, which requires the use of feasible construction noise control measures when development occurs near noise-sensitive land uses, would reduce potential construction noise impacts to less than significant levels.

(2) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to noise or vibration.

New development allowed by the Project will primarily result in redevelopment and intensification of properties that are already developed with urban uses and with higher ambient noise levels. Construction noise from individual development activities would occur, but with implementation of Mitigation Measure NOISE-1, which would require construction noise control measures, are not considered cumulatively considerable. Therefore, cumulative impacts to Noise, specifically related to existing noise regulations, are less than significant.

b) Mitigation:

Mitigation Measure NOISE-1, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to avoid or substantially lessen the significant Noise (existing noise regulations) environmental effects as identified in the FEIR.

6. Transportation and Traffic.

a) Facts/Effects:

- (1) Existing Circulation System Plans, Ordinances and Policies. The Project could conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

Project-related traffic impacts were determined by comparing the intersection LOS without and with the Project. Significant adverse traffic impacts were identified based on the City's criteria. Under the Project, residential land use growth would be focused in areas designated by the current Housing Element update, and new commercial and office development would be focused in areas designated by the proposed Land Use Plan. The Project anticipates that there will be a reduction in single-family residential units and light industrial facilities throughout the Planning Area. Seven of 30 study intersections would be less than significantly impacted with the implementation of mitigation measures over multiple years as individual properties are developed or redeveloped as follows:

- Corporate Center Drive and I-710
- Fremont Avenue and Monterey Pass Road
- Atlantic Boulevard and Brightwood Street
- Atlantic Boulevard and SR-60 Eastbound Off-Ramp
- Garfield Avenue and Pomona Boulevard
- Markland Drive and Potrero Grande Drive/SR-60 Westbound Off-Ramp
- Saturn Street/Market Place Drive and Potrero Grande Drive

b) Mitigation:

Mitigation Measures as outlined in Table 4.17-14 (Summary of Mitigation Measures), as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to avoid or substantially lessen the significant Transportation and Traffic (relative to specific intersections) environmental effects as identified in the FEIR.

7. Utilities and Service Systems.

a) Facts/Effects:

(1) Water Supply. Implementation of the Project could result in insufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years.

Water districts that serve the Planning Area completed Urban Water Management Plans ("UWMPs") that assessed water supply availability under various scenarios and determined that there is an ample supply of water. The Project forecasts population growth that exceeds those considered in the Monterey Park UWMP. It is possible that further conservation measures may be needed. Implementation of Mitigation Measure UTS-1 would ensure that there is adequate water to serve the City and the Project reducing the impacts to a less than significant level.

(2) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to utilities and service systems.

The Project forecasts a population increase of 11,693 residents and 2,730 employees through the year 2040. This growth would result in an overall increase in demand for utility services, likely requiring new or expanded facilities over the 20-year planning horizon. New or expanded facilities would be required to comply with CEQA. Further, the cumulative impacts associated with the discrepancies between the Project population and the water district UWMP is addressed through the implementation of Mitigation Measure UTS-1. Therefore, cumulative impacts to Utilities and Service Systems are less than significant.

b) Mitigation:

Mitigation Measure UTS-1, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to avoid or substantially lessen the significant Utilities and Service Systems environmental effects as identified in the FEIR.

E. Significant Unavoidable Effects that Cannot be Mitigated to a Level of Insignificance.

The City Council finds that the following environmental effects were identified as Significant and Unavoidable in the FEIR. Implementation of the identified mitigation measures would lessen the potential environmental effects to the extent feasible but not below a level of significance.

1. Air Quality.

a) Facts/Effects:

(1) Conflicts with Local Air Quality Plan. The Project could conflict with or obstruct implementation of the applicable air quality plan.

Since the growth that could occur under the Project's 2040 conditions would be inconsistent with the 2016 RTP/SCS growth forecasts, the Project could increase the frequency and/or severity of air quality violations in the Basin or otherwise impede attainment of air quality standards. Despite implementation of Mitigation Measures AQ-2A through AQ-2D, impacts in this regard would be significant and unavoidable.

(2) Net Increase of Non-Attainment Criteria Pollutants. The Project could result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard.

Construction emissions associated with a potential level of annual development that is consistent with the Project's 2040 growth projections could result in ROG emissions during architectural coating activities that exceed SCAQMD-recommended CEQA significance thresholds. Further, the modeled maximum daily operational emissions associated with potential 2040 growth under the Project would result in NOx emissions that exceed SCAQMD-recommended CEQA significance thresholds. Despite implementation of Mitigation Measures AQ-2A through AQ-2D impacts in this regard would be significant and unavoidable.

(3) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to air quality.

The Project's 2040 growth projections, and associated construction and operational emissions, are not consistent with SCAQMD planning assumptions and exceed SCAQMD-recommended emissions thresholds. Although implementation of Mitigation Measures AQ-2A through AQ-2D would reduce impacts, a significant and unavoidable impact would remain.

b) Mitigation:

Mitigation Measures AQ-2A through AQ-2D, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to substantially lessen the significant Air Quality environmental effects as identified in the FEIR; however, the conflicts with the local air quality plan, net increase in non-attainment criteria pollutants, and certain cumulative Air Quality impacts of the Project cannot be mitigated below the threshold of significance, and are significant and unavoidable.

2. Greenhouse Gas Emissions.

a) Facts/Effects:

(1) Greenhouse Gas Emissions. The Project could generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

The Project's 2040 growth projection could result in GHG emissions that exceed the adjusted SCAQMD derived plan-level efficiency metric and this would be a significant impact. Despite implementation of Mitigation Measures AQ-2B through AQ-2D, impacts in this regard would be significant and unavoidable.

(2) Conflicts with Adopted Plans. The Project could conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

As stated above, Project growth could result in GHG emissions that exceed the 2017 Climate Change Scoping Plan's recommended efficiency metrics. Additionally, the Project has the potential to result in growth that is not planned for in the City's CAP, which would be a significant impact. Despite implementation of Mitigation Measures AQ-2B through AQ-2D, impacts in this regard would be significant and unavoidable.

(3) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to greenhouse gas emissions.

The Project's 2040 growth projections, and associated GHG emissions, could exceed emissions thresholds and pose a conflict with the 2017 Climate Change Scoping Plan and the City's CAP. Although implementation of Mitigation Measures AQ-2B through AQ-2D would reduce impacts, a significant and unavoidable impact would remain.

b) Mitigation:

Mitigation Measures AQ-2B through AQ-2D, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to substantially lessen the significant Greenhouse Gas Emissions environmental effects as identified in the FEIR; however, the conflicts with the greenhouse gas emission thresholds and adopted plan, and certain cumulative Greenhouse Gas Emissions impacts of the Project cannot be mitigated below the threshold of significance, and are significant and unavoidable.

3. Noise.

a) Facts/Effects:

(1) Increases in Traffic Noise Levels. The Project could result in generation of a substantial permanent increase in ambient noise

levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies.

The increase in traffic noise levels along Atlantic Boulevard resulting in “clearly unacceptable” low density residential noise exposure levels is a significant impact. Despite implementation of Mitigation Measure NOISE-2, impacts in this regard would be significant and unavoidable

(2) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to noise or vibration.

The Project’s long-term increases in traffic in the Planning Area would result in a cumulatively considerable increase in noise exposure to “clearly unacceptable” levels along Atlantic Avenue between El Repetto Drive and Floral Drive, which is a significant impact. Although implementation of Mitigation Measure NOISE-2 would reduce impacts, a significant and unavoidable impact would remain.

b) Mitigation:

Mitigation Measure NOISE-2, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to substantially lessen the significant Noise environmental effects as identified in the FEIR; however, the increase in traffic noise levels and certain cumulative Noise impacts of the Project cannot be mitigated below the threshold of significance, and are significant and unavoidable.

4. Transportation and Traffic.

a) Facts/Effects:

(1) Existing Circulation System Plans, Ordinances and Policies. The Project could conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

Project-related traffic impacts were determined by comparing the intersection LOS without and with the Project. Significant adverse traffic impacts were identified based on the City’s criteria. Under the Project, residential land use growth would be focused in areas designated by the current City Housing Element update, and new commercial and office development would be focused in areas designated by the proposed Land Use Plan. The Project anticipates that there will be a reduction in single-family residential units and light industrial facilities throughout the Planning Area. The Project identifies 27 of 30 study intersections as significantly impacted. Despite the implementation of mitigation measures outlined in Table 4.17-14 of the FEIR, the following Project

intersections would continue to have significant and unavoidable impacts:

- Atlantic Boulevard and Hellman Avenue
- Garfield Avenue and Hellman Avenue
- New Avenue and Hellman Avenue
- Atlantic Boulevard and Emerson Avenue
- Garfield Avenue and Emerson Avenue
- Atlantic Boulevard and Garvey Avenue
- Garfield Avenue and Garvey Avenue
- New Avenue and Garvey Avenue
- Corporate Center Drive and Ramona Boulevard
- Garfield Avenue and Newmark Avenue
- I-710 Northbound On-Ramp/Ford Boulevard and Floral Drive
- Corporate Center Drive/McDonnell Avenue and Floral Drive
- Monterey Pass Road/Mednik Avenue and Floral Drive
- Atlantic Boulevard and Floral Drive
- Collegian Avenue and Avenida Cesar Chavez
- Atlantic Boulevard and Avenida Cesar Chavez
- Atlantic Boulevard and 1st Street/SR-60 Westbound Off-Ramp
- Garfield Avenue and Riggins Street
- Garfield Avenue and Via Campo
- Wilcox Avenue and Pomona Boulevard

- (2) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to transportation and traffic.

Traffic conditions under Future 2040 with the Project would substantially impact 27 of 30 Project study intersections. Although implementation of Mitigation Measures outlined in Table 4.17-14 of the FEIR would reduce impacts, a significant and unavoidable impact would remain.

b) Mitigation:

Mitigation Measures as outlined in Table 4.17-14 (Summary of Mitigation Measures), as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to substantially lessen the significant Transportation and Traffic environmental effects as identified in the FEIR; however, the conflicts with the existing circulation plans, ordinances and policies, and certain cumulative Transportation and Traffic impacts of the Project cannot be mitigated below the threshold of significance, and are significant and unavoidable.

F. Growth Inducing Impacts.

Based upon the FEIR and the record of proceedings in this matter, the City Council finds that there are growth inducing impacts. Implementation of the Project would foster economic growth, resulting in population growth and the construction of additional housing units and nonresidential development within the Planning Area. That growth, however, is anticipated in the focused areas of the City that are already urbanized, allowing for the following net new development: 3,816 dwelling units; 619,932 square feet of new commercial uses; 883,902 square feet of new office space; and 607 hotel rooms.

Implementation of the Project could result in an estimated 11,693 new residents and 2,730 new employees within the Planning Area resulting in a 17 percent population increase over the next 20 years. While this population increase is more growth than the 2016-2040 RTP/SCS anticipates for the City of Monterey Park between 2020 and 2040 by 2,400 residents, this is not considered significant when compared to population and housing growth within the Los Angeles County region – an increase of approximately 1,188,600 residents and 452,900 households by 2040. Implementation of the Project could result in the addition of planned housing units, which would help to meet the anticipated regional housing demand.

G. Project Alternatives.

1. Alternatives Considered but Rejected.

In accordance with CEQA Guidelines § 15126.6(c), an EIR should identify any alternatives that were considered for analysis but rejected as infeasible and briefly explain the reasons for their rejection. According to the CEQA Guidelines, among the factors that may be used to eliminate alternatives from detailed consideration are the alternative's failures to meet most of the basic project objectives, the alternative's infeasibility, or the alternative's inability to avoid significant environmental impacts. There are no alternatives that were considered and rejected in the Project DEIR. Therefore, no finding is required to be made by the City Council relative to rejected alternatives in considering the FEIR.

2. No Project/Existing 2001 General Plan Alternative.

a) Description.

The No Project/Existing 2001 General Plan Alternative (No Project Alternative) assumes that development would occur within the Planning Area. The 2001 General Plan is 20 years old; the baseline data used for the original analysis is unavailable. For this alternative, it is assumed that only new residential development could occur; no new office, commercial, industrial, or hotel development would occur. Additionally, no new policies, goals, or development standards associated with the Focused General Plan Update would be implemented; the standards, goals, and policies associated with the 2001 General Plan would be applicable. Significant and unavoidable impacts identified for the Project related to Air Quality, Greenhouse Gas Emissions, Noise and Transportation would be reduced to less than significant levels with the No Project/Existing 2001 General Plan Alternative. Other environmental impacts that were identified for the Project as either no impact or less than significant impact would

remain similar or be slightly reduced with the No Project/Existing 2001 General Plan Alternative.

b) Finding.

The City Council finds that the No Project/Existing 2001 General Plan Alternative would not attain four of the five Project's basic objectives as it does not include commercial, office, or hotel development. The No Project/Existing 2001 General Plan Alternative would attain one of the five objectives but not to the same degree as the Project. Specifically, given the significant reduction in residential development associated with this alternative, the objective to "Create new housing opportunities for a full range of housing types and to increase housing affordability" would not be fully realized. The City Council finds on the basis of these considerations that the No Project/Existing 2001 General Plan Alternative, as identified in the FEIR, is infeasible.

3. Market Demand Alternative.

a) Description.

The Market Demand Alternative assumes a "market-adjusted" development scenario that evaluates the portion of the Project capacity that would likely be built by 2040, based on current and foreseeable market trends. The Market Demand Alternative reflects a reduced amount of residential, hotel and office development. This alternative would have a similar amount of total commercial space as the Project. This alternative assumes that policies, goals, or development standards associated with the Project would apply to this alternative. Development assumptions for this alternative include an overall correlating decrease in population when compared to the Project. Significant and unavoidable impacts identified for the Project related to Air Quality, Greenhouse Gas Emissions, Noise and Transportation would be reduced but would remain significant and unavoidable with the Market Demand Alternative. Other environmental impacts that were identified for the Project as either no impact or less than significant impact would remain similar or be slightly reduced with the Market Demand Alternative.

b) Finding.

The City Council finds that the Market Demand Alternative would attain the Project's basic objectives as it includes commercial, office, residential and hotel development. However, the Market Demand Alternative would not attain the five objectives to the same degree as the Project. Specifically, given the significant reduction in overall development associated with this alternative, the Project objectives providing optimal economic and housing benefits would not be fully realized. The City Council finds on the basis of these considerations that the Market Demand Alternative, as identified in the FEIR, is infeasible.

4. Reduced Density/Intensity Alternative.

a) Description.

The Reduced Density/Intensity Alternative assumes that the development in all land use categories associated with the Project would be reduced by approximately one third (33 percent). While the amount of development would be reduced, this alternative assumes that policies, goals, and development standards associated with the Project would also be applicable to development under this alternative. Development assumptions for this alternative include an overall correlating decrease in population when compared to the Project. Significant and unavoidable impacts identified for the Project related to Air Quality, Greenhouse Gas Emissions, Noise and Transportation would be reduced but would remain significant and unavoidable with the Reduced Density/Intensity Alternative. Other environmental impacts that were identified for the Project as either no impact or less than significant impact would remain similar or be slightly reduced with the Reduced Density/Intensity Alternative.

b) Finding.

The City Council finds that the Reduced Density/Intensity Alternative would attain the Project's basic objectives as it includes commercial, office, industrial, residential and hotel development. However, the Reduced Density/Intensity Alternative would not attain the five objectives to the same degree as the Project. Specifically, given the significant reduction in overall development associated with this alternative, the Project objectives providing optimal economic and housing benefits would not be fully realized. The City Council finds on the basis of these considerations that the Reduced Density/Intensity Alternative, as identified in the FEIR, is infeasible.

5. Environmentally Superior Alternative.

In compliance with Public Resources Code §15126.6(d), a matrix displaying the major characteristics and significant environmental effects of each alternative is included in the FEIR; see Table 5--2, Alternatives' Impacts Compared to Project Impacts. The purpose of this matrix is to summarize and compare how impacts associated with the implementation of the alternatives compare with the impacts associated with implementation of the Project.

Chapter 5 of the FEIR describes three alternatives to the Project including the CEQA-mandated "No Project" Alternative. Public Resources Code §15126.6 requires that one alternative be identified as the environmentally superior alternative. Furthermore, if the environmentally superior alternative is the "No Project" alternative, the FEIR must also identify the environmentally superior alternative from among the other alternatives.

Other than the No Project/Existing 2001 General Plan Alternative, the Reduced Density/Intensity Alternative would result in the least adverse environmental impacts and would therefore be the "environmentally superior alternative." This conclusion is based on the comparative impact conclusions in Table 5-2 and the analysis within Chapter 5. However, this alternative would not fully meet the objectives at the same level as the Project. The City Council finds on the basis of

these considerations that while the Reduced Density/Intensity Alternative, as identified in the FEIR, is the environmentally superior alternative, it is infeasible.

III. STATEMENT OF OVERRIDING CONSIDERATIONS.

The City Council finds on the basis of the FEIR and the entire administrative record for this matter that the unavoidable significant impacts of the Project as discussed in Section II.E. above are acceptable when balanced against the benefits of the Project. This determination is based on the following substantial economic, legal, social, technological factors, including region-wide benefits, as identified in the FEIR and the record of proceedings in the matter. Each Project objective/benefit set forth below constitutes an overriding consideration warranting approval of the Project as they outweigh the unavoidable adverse environmental effects.

- A. The Project parameters increasing density/intensity in focused areas of the City were the direct result of the analysis, findings and conclusions resulting from a Land Use Market Demand Analysis, prepared under the direction of the City in May 2019 as part of the General Plan Update to ensure the greatest economic benefit to the City and region on the whole was thoughtfully planned.
- B. The Project will help foster economic development in the City consistent with the community's vision by contributing to a strong business climate and economic growth, with positive outcomes such as business retention and attraction and employment creation balanced with new housing opportunities.
- C. The Project promotes sustainable development patterns and environmentally-friendly strategies that would minimize greenhouse gas emissions and sustain limited resources over the long term
- D. Increases the City's tax base by focusing commercial, office, industrial and hotel development and redevelopment in key urbanized areas of the City utilizing flexible approaches to land use planning and higher densities, affecting property and sales tax revenues, which in turn provides the City with resources to provide high-quality services to residents and the daytime population.
- E. The Project supports redevelopment of existing land uses with newer, more efficient development that would reduce energy consumption compared to existing conditions.
- F. The Project accommodates and encourages new businesses that promote innovation and advances in technology, high-quality service industries, and creative industries that would increase opportunities for high-skilled and knowledge workers
- G. The Project facilitates higher density, mixed use development that is effective in reducing vehicle miles traveled and fuel consumption as compared to other, more suburban types of development, improving the current balance of the City's jobs-housing ratio.
- H. The Project directs almost all planned growth into specific areas of the City to encourage infill developments that redevelop aging and underutilized properties, and stabilize the character of the City's founding neighborhoods.

- I. The use of energy resources in the Planning Area become more efficient over time with the changes in land uses envisioned by the Project and through the application of more stringent regulations that mandate energy efficiency.
- J. Implementation of the Project will result in the addition of housing units, which would help address the ever-increasing regional housing demand increasing housing affordability through flexible regulatory tools, greater range of housing types, higher densities, and expanded areas for housing as part of a mixed-use development.
- K. The Project focuses growth by increasing density/intensity of the land uses around the existing and potential transit stations along the Metro Gold Line light rail adjacent to the City's border.
- L. The Project incorporates urban design strategies that improves the physical appearance of the public realm, define the urbanized outdoor and recreation spaces, and guide the types of design appropriate for higher density, mixed-use developments including neighborhood connectivity and enhanced pedestrian experiences.
- M. The Project enhances the City's roadway network by incorporating mitigation measures that when implemented over time correlating with new development will improve the efficiency of some intersections, improving transportation and safety in the City.

IV. RECIRCULATION.

A. Facts.

The City received comments on the DEIR from members of the public and from public agencies in both written and oral form. The FEIR contains written responses to all comments ("Responses to Comments") received on the DEIR as of July 25, 2019. Some comments were incorporated into the FEIR as factual corrections and minor changes. The FEIR includes all factual corrections and minor changes to the DEIR. All comments and testimony received before and at the City Council's public hearing have been considered.

B. Finding.

Pursuant to CEQA Guidelines § 15088.5 and Public Resources Code § 21092.1, and based on the FEIR and the record of proceedings in for the Project, the City Council finds that:

1. Factual corrections and minor changes are set forth as additions and corrections to the DEIR; and
2. The factual corrections and minor changes to the DEIR are not substantial changes in the DEIR that would deprive the public of a meaningful opportunity to comment on a substantial adverse environmental effect of the Project, a feasible way to mitigate or avoid such an effect, or a feasible Project alternative; and
3. The factual corrections and minor changes to the DEIR will not result in new significant environmental effects or substantially increase the severity of the significant effects previously disclosed in the DEIR; and

4. The factual corrections and minor changes to the DEIR will not involve mitigation measures or alternatives which are considerably different from those analyzed in the DEIR that would substantially reduce one or more significant effects on the environment; and
5. The factual corrections and minor changes to the DEIR do not render the DEIR so fundamentally inadequate and conclusory in nature that meaningful public review and comment would be precluded.

Accordingly, the City Council finds that none of the conditions set forth in CEQA Guideline § 15088.5 or Public Resources Code § 21092.1 requiring recirculation of a draft environmental impact report were met. The City Council further finds that incorporation of the factual corrections and minor changes to the DEIR into the FEIR does not require that the FEIR be recirculated for public comment.

V. SUBSTANTIAL EVIDENCE.

The City Council finds and declares that substantial evidence for each and every finding made herein is contained in the FEIR, which is incorporated herein by this reference, and in the record of proceedings in the matter.

ATTACHMENT 3
Focused Area Summary Table

Focus Area	Current GP FAR/Height	Proposed GP FAR/Height
Corporate Center	2.0/100'	4.0/125' 2.0/60' (north end)
Corporate Place	0.60/40' (commercial only)	1.0/50' (added industrial)
Monterey Pass Road	0.65/zoning controls	0.65/35'
North Atlantic	2.0/75'	2.0/75'
Mid Atlantic	0.75/50' Mixed use	1.5/50' Commercial only
South Atlantic	0.65/40' No housing	0.65/40' Housing overlay @60 du/ac, 50'
North Garfield	1.0/60'	1.5/60'
Downtown Core	1.0/75'	2.5/75'
Downtown Perimeter	0.65/55'	1.5/50'
East Garvey	0.5/zoning controls With housing 0.75	1.5/50' Stand-alone residential okay on nonarterial streets
Saturn Park	0.60/40'	1.0/50'
MarketPlace	0.5-2.0 based on lot size/50'	0.65/35'

ATTACHMENT 4

Draft Monterey Park General Plan Land Use Element and Focused Environmental Impact Report

ATTACHMENT 5

1688 West Garvey Avenue Zoning Clarification Letters,
dated September 4, 2019 and September 10, 2019

CITY OF MONTEREY PARK

320 West Newmark Avenue • Monterey Park • California 91754-2896
www.montereypark.ca.gov



City Council

Peter Chan
Mitchell Ing
Stephen Lam
Hans Liang
Teresa Real Sebastian

City Clerk

Vincent D. Chang

City Treasurer

Joseph Leon

Mr. Karl H. Berger
Assistant City Attorney
City of Monterey Park
320 West Newmark Ave
Monterey Park, CA 92614

September 4, 2019

1688 W. Garvey Ave – Proposed Zoning Review

I received an email from the above parcel owner's representative regarding the proposed zoning that is contained in the City of Monterey Park Draft Land Use and Urban Design Element. The parcel is proposed to be zoned as High Density Residential. They state that from a plan view perspective that the parcel is attractive as high density residential; however, from a topographical standpoint as well as the underlying geologic issues and the proposed geotechnical solutions for development this parcel is not a good candidate for high density residential. In their document, they specifically state:

- Primarily, the steep slopes on the property highly constrain development on that parcel.
- Additionally, as we endeavor to cure historic geotechnical failures on the property, a great deal of developable footprint will be used for geotechnical solutions.
- More specifically, it is anticipated that a big part of the geotechnical solution will involve the use of tiebacks which serve to even further constrain the developable area of the site.

They have requested a Low Density Residential zoning designation for the parcel in the Land Use and Urban Design Element analysis and recommendation. I have reviewed their statements and concur with their recommendation. Please modify the draft Land Use and Urban Design Element to reflect this modification. It will allow the parcel to be developed with a zoning that is amenable to the issues stated above.

Sincerely,


Jon Turner, PE
Acting City Planner

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September 10, 2019

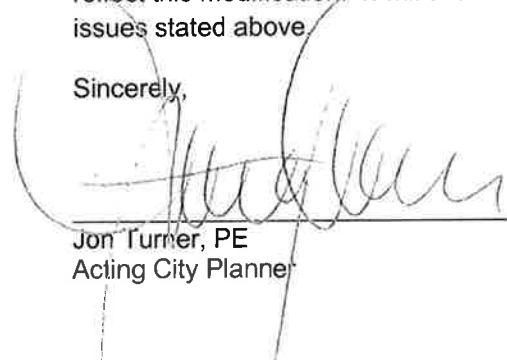
1688 W. Garvey Ave – Proposed Zoning Review

I received an email from the above parcel owner's representative regarding the proposed zoning that is contained in the City of Monterey Park Draft Land Use and Urban Design Element. The parcel is proposed to be zoned as High Density Residential (Figure LU-3 – page 26 of the document). Additionally, the definition of the density is provided in Table LU-1 on page 28 of the document. They state that from a plan view prospective that the parcel is attractive as high density residential; however, from a topographical standpoint as well as the underlying geologic issues and the proposed geotechnical solutions for development this parcel is not a good candidate for high density residential. In their document, they specifically state:

- Primarily, the steep slopes on the property highly constrain development on that parcel.
- Additionally, as we endeavor to cure historic geotechnical failures on the property, a great deal of developable footprint will be used for geotechnical solutions.
- More specifically, it is anticipated that a big part of the geotechnical solution will involve the use of tiebacks which serve to even further constrain the developable area of the site.

They have requested a Low Density Residential zoning designation for the parcel in the Land Use and Urban Design Element analysis and recommendation. I have reviewed their statements and concur with their recommendation. Please modify the draft Land Use and Urban Design Element to reflect this modification. It will allow the parcel to be developed with a zoning that is amenable to the issues stated above.

Sincerely,


Jon Turner, PE
Acting City Planner

Enclosures

ATTACHMENT 6

Planning Commission Minutes dated September 24, 2019

**OFFICIAL MINUTES
MONTEREY PARK PLANNING COMMISSION
REGULAR MEETING
SEPTEMBER 24, 2019**

The Planning Commission of the City of Monterey Park held a regular meeting of the Board in the Council Chambers, located at 320 West Newmark Avenue in the City of Monterey Park, Tuesday, September 24, 2019 at 7:00 p.m.

CALL TO ORDER:

Chairperson Eric Brossy de Dios called the Planning Commission meeting to order at 7:00 p.m.

ROLL CALL:

Planner Tewasart called the roll:

Board Members Present: Eric Brossy De Dios, Ricky Choi, Theresa Amador, Antonio Salazar, and Delario Robinson,

Board Members Absent: None

ALSO PRESENT: Karl H. Berger, Assistant City Attorney, Mark A. McAvoy, Public Works Director/City Engineer/City Planner, and Samantha Tewasart, Senior Planner

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS: None

ORAL AND WRITTEN COMMUNICATIONS:

[1.] **PRESENTATIONS:** None

[2.] **CONSENT CALENDAR:** None

[3.] **PUBLIC HEARING:**

3-A. **CONDITIONAL USE PERMIT (CU-19-06) TO ALLOW FOR A BUSINESS COLLEGE (COMPUTER TRAINING) IN THE O-P (OFFICE PROFESSIONAL) ZONE – 1455 MONTEREY PASS ROAD #206**

Planner Tewasart provided a brief summary of the staff report.

Chairperson Brossy de Dios opened the public hearing.

Applicant, Jian Feng Liu, 1455 Monterey Pass Road, #206, Monterey Park, CA 91754, stated that he worked at AT&T's IT department for 12 years and then became Cisco certified and now would like to offer the same certification services to others who are looking for higher paying jobs.

Commissioner Salazar inquired about how the space will be utilized. Applicant Liu replied that the space will not be setup in the traditional sense. The business is computer training and many of the courses are offered on-line.

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Commissioner Robinson inquired if the applicant would be one of the instructors. Applicant Liu replied that he will be one of the instructors, but there will be other instructors as well. Many of the courses will be taught through WebEx.

Commissioner Amador inquired if the unit will be accessible. Property Owner, Duke Hwynn, 1455 Monterey Pass Road, Suite #206, Monterey Park, CA 91754, stated that he has been a Monterey Park resident for many years. He operated an import/export business at the location for many years and now is looking to sell the unit to the applicant. The building is older and does not have an elevator. Director McAvoy stated that there may be an occupancy change with this application which may trigger upgrades to the building. This is something the Applicant would work with the Building Official on.

Commissioner Choi inquired if the building has different property owners. Planner Tewasart replied that the building is an office condominium.

Commissioner Amador inquired if there is a management company. Owner Hwynn replied that there is an HOA with 7 board members and there is a management company that helps to maintain the property.

Commissioner Brossy de Dios inquired about the number of parking spaces. Planner Tewasart replied that there are 73 parking spaces available on the property. The parking ratio for office use is 4 per 1,000 and for a college it is 3 per 1,000. The parking requirement will be less.

Chairperson Brossy de Dios closed the public hearing.

Action Taken: The Planning Commission after considering the evidence presented during the public hearing adopted **Resolution No. 14-19** approving Conditional Use Permit (CU-19-06) to allow operation of a business college in the O-P (Office Professional) Zone at 1455 Monterey Pass Road, #206, with an amended condition.

Amended:

10. If "~~as-built~~" amended plans are required, additional fees will be due for the review of the drawings.

Resolution No. 14-19

A RESOLUTION APPROVING CONDITIONAL USE PERMIT (CUP-19-06) TO PERMIT OPERATION OF A BUSINESS COLLEGE AT 1455 MONTEREY PASS ROAD #206.

Motion: Moved, by Commissioner Choi and seconded by Commissioner Amador, motion carried by the following vote:

Ayes: Commissioners: Brossy de Dios, Choi, Amador, Salazar, and Robinson
Noes: Commissioners: None
Absent: Commissioners: None

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Abstain: Commissioners: None

3-B. GENERAL PLAN UPDATE

Director McAvoy provided a brief summary of the staff report.

Consultant Stetson provided a PowerPoint presentation.

Commissioner Robinson stated that the letter submitted by Cox Castle Nicholson regarding Atlantic Square is addressed to him as the chairperson; however, he is not the current chairperson of the Planning Commission.

Commissioner Salazar inquired if the updates looked at increasing the frequency of MTA bus services. Consultant Stetson replied that will be looked at in the Circulation Element.

Commissioner Amador inquired about the project schedule for the property located at 1688 West Garvey Avenue. She has lived in the City since the 1960s and the property has had health and safety issues for 25 years. She wanted to know if the proposed update would mean that the health and safety issues will be addressed.

Attorney Berger replied that per a settlement agreement with the property owner, the property would either be approved for a single-family subdivision by 2021 or the City would take action on its own, reimbursed by the property owner, to permanently stabilize the slope. Efforts are underway at present to “winterize” the slope.

Attorney Alfredo Fraijo Jr., SMRH, 333 South Hope Street, Los Angeles, CA 90071, stated that he is present on behalf of property owners.

Commissioner Choi inquired if policies can be included to more vigorously promote higher property maintenance standards.

Commissioner Amador inquired about the tool or mechanism to designate the Cascades Waterfalls, El Encanto, the Observatory and Historical Museum as historic properties. Consultant Stetson replied that there is an existing goal in the Resources Element that states to preserve the historical resources of Monterey Park.

Commissioner Amador inquired if the proposed updates to the Golf Course area meant that the two existing restaurants would be removed. Consultant Stetson replied that this is a policy document and no actual construction projects are proposed as part of the updates.

Commissioner Amador inquired about what buffers and transition areas mean. Consultant Stetson replied that it can either mean additional setbacks or the stepping back of building heights. The additional setback can be used for landscaping purposes or parking. The transition areas are proposed for properties that abut residential areas.

Commissioner Amador inquired about the proposed update around the Market Place area. Consultant Stetson replied that 20 years ago Southern California Edison had plans to consolidate their transmission facilities, thus leaving certain properties in Monterey Park

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available for other uses. The idea was to establish the land use for future commercial developments. However, with the decommissioning of the San Onofre Plant and construction of the MESA substation, Southern California Edison is no longer looking to sell of their property, so the proposed update is to reflect the current land use as public facility.

Commissioner Choi inquired if the proposed updates to the Atlantic Boulevard area will impact the project approved at the southwest corner of Atlantic Boulevard and Garvey Avenue. Planner Tewasart replied that the update will mostly affect the southeast corner of the Atlantic Boulevard and Garvey Avenue.

Commissioner Salazar inquired if the alleyway is the boundary of the mixed-use area on East Garvey. Consultant Stetson relied yes.

Chairperson Brossy de Dios inquired why the land use of the properties located south of Garvey Avenue was not changed from the Low Density Residential to Medium Density Residential to be more consistent with the properties located to the south. Consultant Stetson replied that a consistent comment received throughout the public outreach process was to maintain the residential areas as they exist today.

Chairperson Brossy de Dios inquired why the height was decreased in the Downtown Perimeter area. Consultant Stetson replied that it was to create a transition from the Downtown to adjacent residential areas.

Chairperson Brossy de Dios inquired if the environmental impact report can be adopted even though there are significant impacts that cannot be mitigated. Consultant Stetson replied that the California Environmental Quality Act specifically allows for this to occur with a Statement of Overriding Considerations.

Commissioner Brossy de Dios inquired if comments were received from AQMD. Consultant Lisa Brownfield replied that SCAQMD's 2016 RTP is based on the current General Plan. If a jurisdiction plans for growth beyond the existing General Plan, it is very likely that the proposed plan will exceed the 2016 RTP and SCAQMD standards. The EIR proposes a number of mitigation measures that lessen the air quality impacts but do not bring them below the threshold. The mitigation measures deal with construction emissions; paint/coating emissions; requiring some Cal Green voluntary measures for residential and mixed use developments; and requiring TDM for some non-residential development. SCAQMD provided a response to the DEIR. Many of the comments requested mitigation beyond the scope and focus of a program EIR.

Chairperson Brossy de Dios opened the public hearing.

Speaker Carlos Palafox, 4695 MacArthur Boulevard, Newport Beach, CA 92660, on behalf TRC, stated that the property ownership would like the Planning Commission to consider allowing a mixed-use land use extend over to their property east of Atlantic Boulevard. He summarized the letter addressed and provided to the Planning Commission.

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Commissioner Amador inquired about the current condition of the property and why there were so many vacancies, in particular behind Boston Market. Speaker Palafox replied that the market is changing and with the increase of on-line purchasing, retail stores are decreasing. They are evaluating all their options.

Commissioner Choi inquired why the Housing Element was not prepared along with the Land Use Element. Director McAvoy replied that the City Council's direction was to move forward with the Land Use Element first and consider subsequent elements at a later time. Planner Tewasart added that the State has just recently released their project population numbers and methodology for distribution, and the RHNA is still being considered.

Chairperson Brossy de Dios closed the public hearing.

Commissioner Choi inquired if staff could look into the request to what impacts there may be to the current proposal and the draft environmental impact report.

Action Taken: The Planning Commission after considering the evidence presented during the public hearing adopted **Resolution No. 15-19** recommending that the City Council Certify the Final Environmental Impact Report, adopt Findings and a Statement of Overriding Considerations, and adopt a Mitigation Monitoring and Reporting Program for the Monterey Focused General Plan Update – Monterey Park 2040, with the corrections identified on page 4 of the staff report and the proposed land use change to property located at 1688 West Garvey Avenue.

Resolution No. 15-19

A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT, ADOPT FINDINGS AND A STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPT A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE MONTEREY PARK– MONTEREY PARK 2040.

Motion: Moved, by Commissioner Amador and seconded by Commissioner Robinson to consider an ordinance to formally recognize and designate the Cascades Waterfall, El Encanto, the observatory, and Historical Museum as historical landmarks in the City, motion carried by the following vote:

Ayes: Commissioners: Brossy de Dios, Choi, Amador, Salazar, and Robinson
Noes: Commissioners: None
Absent: Commissioners: None
Abstain: Commissioners: None

Motion: Moved, by Commissioner Amador and seconded by Commissioner Choi for staff to further to analyze the requested land use change from Commercial to Mixed-Use for Atlantic Square located on South Atlantic Boulevard, motion carried by the following vote:

Ayes: Commissioners: Brossy de Dios, Choi, Amador, Salazar, and Robinson

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Noes: Commissioners: None
Absent: Commissioners: None
Abstain: Commissioners: None

Motion: Moved, by Commissioner Choi and seconded by Commissioner Amador to consider adding policies to vigorously encourage and promote higher quality property maintenance standards, motion carried by the following vote:

Ayes: Commissioners: Brossy de Dios, Choi, Amador, Salazar, and Robinson
Noes: Commissioners: None
Absent: Commissioners: None
Abstain: Commissioners: None

Motion: Moved, by Commissioner Brossy de Dios and seconded by Commissioner Choi to revise on page 99 of the Land Use Element Implementation Plan, under Program 11: Climate Change Action Plan Time Frame to read, "Short and Intermediate," motion carried by the following vote:

Ayes: Commissioners: Brossy de Dios, Choi, Amador, and Robinson
Noes: Commissioners: None
Absent: Commissioners: None
Abstain: Commissioners: Salazar

[4.] **OLD BUSINESS:** None

[5.] **NEW BUSINESS:** None


[6.] **COMMISSION COMMUNICATIONS AND MATTERS:** None

[7.] **STAFF COMMUNICATIONS AND MATTERS:** None

ADJOURNMENT:

There being no further business for consideration, the Planning Commission meeting was adjourned at 9:27 p.m.

Next regular scheduled meeting on October 8, 2019 at 7:00 p.m. in the Council Chambers.



Mark A. McAvoy
Director of Public Works/City Engineer/City Planner

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